EAST RIDING OF YORKSHIRE COUNCIL

Report of the Executive Director of Planning and Economic Regeneration

Report to: Planning Committee
Date: 14th August 2025

Ward: Mid Holderness
Parish: Wawne Parish Council

East Riding of Yorkshire Council Local Impact Report

Application for Development Consent Order (DCO) for the Construction, operation (including maintenance) and decommissioning of solar photovoltaic electricity generating and storage facility with an export capacity of 320 megawatts and associated infrastructure

At Peartree Hill Plantation, Meaux Lane, Meaux, East Riding Of Yorkshire
By DWD Ltd

Application Number: 24/01813/NSIP

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1. RECOMMENDATION

1.1 It is recommended that the committee agree:

i) The contents and recommendations within the Local Impact Report set out below; and

ii) That the Local Impact Report be submitted to the Planning Inspectorate for consideration in the Examination of the above scheme: and

iii) Delegated Authority be given to the Executive Director of Planning and Economic Regeneration in consultation with the Chair of Planning Committee to make any further alterations to the Local Impact Report before the report is submitted to the Planning Inspectorate for consideration.

2. INTRODUCTION

2.1 This scheme relates to a Nationally Significant Infrastructure Project (NSIPs) which has been submitted to the Planning Inspectorate under the 2008 Planning Act. NSIPs are large scale infrastructure projects, developments of national importance in terms of energy, transport, water, wastewater and waste. This project is for the construction, operation, maintenance and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of up to 320 megawatts (MW) of electricity. The development would include PV modules and mounting structures at a maximum height of 3m above ground level, on-site supporting equipment including inverters, transformers and switchgears, up to two on-site substations Battery Energy Storage containers and underground cabling to connect to

the National Grid substation, and associated infrastructure including fencing, drainage and storage containers and biodiversity and landscaping enhancement measures, together with temporary development during the construction phase.

2.2 NSIP developers are required to apply to the Planning Inspectorate (PINS) for a Development Consent Order (DCO) rather than applying to the Local Planning Authority for planning permission. PINS are responsible for operating the planning process which includes appointing an Inspector, examining an application and writing a report with recommendations to the relevant Secretary of State who then decides on whether or not to grant consent. Local Authorities hosting NSIPs are statutory consultees in the DCO process, they are not the determining authority, but they are required to prepare a Local Impact Report which is the report before the Committee today.

2.3 This report has been prepared by East Riding of Yorkshire Council in accordance with the advice and requirements set out in the Planning Act 2008 and Advice Note One: Local Impact Reports. It represents the Council's Local Impact Report (LIR) on the proposal. A LIR as defined in Section 60(3) of the 2008 Act is a 'report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'. The content of the LIR is a matter for the Local Authority concerned as long as it falls within the statutory definition. The Council should cover any topics they consider relevant to the impact of the proposed development on their area and should draw on existing local knowledge and experience.

2.4 The Local Authority is not required to carry out its own consultation with the community (including Parish Councils) or external Statutory Consultees such as the Environment Agency or Natural England. The community has had the opportunity through the applicant's consultation process and Examination Process to make their observations known and register to take part. Statutory Consultees will also be involved through the Examination Process. The report sets out the positive, neutral, and negative local impacts but does not need to carry out a balancing exercise. The LIR will assist the Examining Authority by identifying local issues and including an appraisal of the development's compliance with local policy and guidance. A view on the relative importance of different social, environmental, or economic issues and the impact of the scheme on them is also of assistance to the Examining Authority.

2.5 The Local Planning Authority is responsible for enforcing the provisions and requirements as set out in the Development Consent Order (DCO).

2.6 The Local Authority's views on the Development Consent Order articles, requirements and obligations are considered, including views on specific mitigation or compensation measure. The Local Planning Authority will be responsible for discharge of the requirements therefore comments are also made on the requirements as set out in Schedule 2 of the Development Consent Order. The report gathers together the views of a number of internal departments who have been consulted on the application. These are:

- Nature Conservation
- Trees and Landscaping

- Building Conservation and Heritage
- Public Rights of Way
- Lead Local Flood Authority and Land Drainage
- Highways
- Public Protection
- Archaeology

3. SITE DESCRIPTION AND OVERVIEW OF THE SCHEME

3.1 The scheme comprises approximately 891hectares (ha) of land located north of the city of Hull and east of the town of Beverley, between the villages of Tickton, Routh, Leven, Long Riston, Arnold, Wawne, Woodmansey and Weel. The Proposed Development is made up of five Land Areas, Areas B-F with interconnecting underground cables between the land areas connecting to the existing National Grid Creyke Beck Substation to the south.

Land Area B: This area comprises two separate sections. One lies west of the A165 and is bounded to the north by the A1035, to the west by Meaux and Routh East Drain, to the east by an unnamed ditch, and to the south by Land Area C. Monk Dike runs through the centre of this section. The other smaller section of Land Area B lies east of the A165 and north of Long Riston and is bounded by agricultural fields and ditches.
Land Area C: This area lies adjacent to the southern boundary of Land Area B. It is bounded to the west by Arnold West Carr Drain/Arnold and Riston Drain and to the south by Kidhill Lane. Along the eastern boundary are ditches and agricultural land.
Land Area D: This area is located in the centre of the overall Order Limits. It is adjacent to Land Area E, which lies to the south-west. The area is bounded by various drains and ditches and crosses Meaux Lane. On the eastern border is Cote Wood Local Wildlife Site and semi-natural ancient woodland. Meaux Abbey Scheduled Monument lies to the south.
Land Area E: This area comprises three separate sections. The westernmost of these, located approximately 300 m east of Weel at the closest point, lies either side of Carr Lane and is bounded by ditches and agricultural land. The largest section of Land Area E is primarily bounded to the west and south by Holderness Drain, to the east by Meaux West ditch, and to the north-east by Land Area D. To the north is agricultural land, within which is Meaux duck decoy Scheduled Monument. Beyond this is the third section of Land Area E, which is divided in two by a strip of woodland. Meaux Abbey Scheduled Monument lies to the south-east of Land Area E.
Land Area F: This is the southernmost area, lying approximately 730 m northeast of Wawne at the closest point. It is largely bounded to the north and east by Holderness Drain. In other directions are agricultural fields. To the north, beyond Holderness Drain, is Meaux Abbey Scheduled Monument. Meaux Road runs north to south through this Land Area.

3.2 The scheme consists of:

- Solar photovoltaic (PV) modules and associated mounting structures at a maximum height of 3m above ground level.
- On-site supporting equipment including inverters, transformers, direct current (DC)-DC converters and switchgear;
- A battery energy storage system (BESS) including batteries and associated enclosures, monitoring systems, air conditioning, electrical cables and fire safety infrastructure;
- Two on-site 132 kV substations, including transformers, switchgear, circuit breakers, control equipment buildings, control functions, material storage, parking,

as well as wider monitoring and maintenance equipment;
- Low voltage and 33 kV interconnecting cabling within and between the Land Areas to connect the solar PV modules together and to transmit electricity from the solar PV modules and BESS to one of the two on-site 132 kV substations;
- 132 kV underground cables (two 132 kV export cables) connecting the on-site substations to the National Grid Creyke Beck Substation;
- Works at the National Grid Creyke Beck Substation to facilitate the connection of the 132 kV underground cabling into the substation;
- Associated infrastructure including access tracks, parking, security measures, gates and fencing, lighting, drainage infrastructure, storage containers, earthworks, surface water management, maintenance and welfare facilities, security cabins and any other works identified as necessary to enable the development;
- Highway works to facilitate access for construction vehicles, comprising passing places to ensure that heavy goods vehicles (HGVs) can be safely accommodated amongst existing traffic, new or improved site accesses and visibility splays;
- A series of new permissive paths connecting to the existing public right of way network;
- Environmental mitigation and enhancement measures, including landscaping, habitat management, biodiversity enhancement and amenity improvements;
- Temporary development during the construction phase of the Proposed Development including construction compounds, parking and laydown areas.

3.3 The applicant has undertaken a site selection assessment, contained in the Planning Statement, demonstrating a considered approach to site selection and design. The considerations in the site selection and design include, irradiance and topography, network connection, proximity to dwellings, agricultural land classification (ALC), accessibility, flooding, Scheduled Monuments and Conservation Areas, Nationally Designated Landscapes and Designated international and national ecological and geological sites. The Proposed Development includes environmental mitigation and enhancement measures to avoid or reduce adverse impacts on the surrounding environment and nearby communities.

4. PRE-APPLICATION CONSULATION

4.1 East Riding of Yorkshire Council have expressed the opinion that the applicant has complied with the relevant sections of the Planning Act 2008 (as amended) in their duty to consult the appropriate local authorities, the prescribed consultees, identified land interests, the local community and to publicise the application.

4.2 Planning and Specialist Officers from East Riding of Yorkshire Council have been involved in discussions with the Project Team and Consultants for the Peartree Hill Solar project during the various Consultation stages.

5. SITE HISTORY AND AJOINING DEVELOPMENT

5.1 Cumulative effects and interactions with other applications are considered in the Environment Statement (ES). The Planning Statement (PS) provides an overview of the relevant planning history within and adjacent to the Order limits. With regard to developments considered in the cumulative assessments, a total of 21 developments have been identified, either within or in the vicinity of the Development Order Limits. These developments are identified within the short list, provided in the ES, in which Officers have confirmed they are satisfied that all relevant developments have been considered. Since submission and acceptance of the application, Officers have however been made aware that there is a public consultation currently underway for 40mw solar farm at Molescroft Farm, located at its closest, approximately 2.5km from

the order limits.

5.2 The development is in the vicinity of a number of other recently consented and proposed energy developments given the proximity to key energy infrastructure at Creyke Beck substation. These include the below developments which have all been identified within the short list and considered in the cumulative assessments;

Reference and Description	Distance from Development Order Limits	Decision
22/01208/STPLF - Construction of solar photovoltaic development including solar panels, installation of substation, transformers, storage containers, erection of perimeter fence and CCTV poles with associated access, gates, internal tracks, infrastructure, landscaping and biodiversity enhancements and erection of temporary construction compound	0km (adjacent)	Approved
22/02775/STPLF - Construction of a 49.99MW Solar Farm comprising: ground mounted solar panels, transformers, substation, DNO control room, customer substation, GRP communications cabin, security fencing, landscaping and other associated infrastructures	0km (adjacent)	Approved
22/03648/STPLF- Construction of 49.9MW Solar Farm comprising of ground mounted solar panels, underground cabling, a temporary construction compound, access tracks, perimeter fencing with CCTV cameras, access gates and associated ancillary grid infrastructure and work	0km (adjacent)	Refused – Appeal allowed
21/02335/STPLF (23/00846/STVAR) - Construction of a 49.9MW Solar Farm, underground cabling, 18 inverter substations, installation of perimeter fencing (up to 2.5m high) with access gates and 176 CCTV cameras/infrared lighting on steel poles (up to 3.5m high steel poles) and 2 temporary construction compounds; construction of a grid compound consisting of substations, control rooms, transformers, cabling and fencing; construction of a storage compound consisting of 24 battery storage containers, 24 PCS units and 2.5m high perimeter fencing and associated grid infrastructure and associated works	0km (adjacent)	Approved
EN010125 - The Dogger Bank South Offshore Wind Farms project comprises the two offshore wind farms (Dogger Bank South West and Dogger Bank South East) and associated offshore and onshore infrastructure including offshore and onshore high voltage electricity cables, onshore and offshore electricity substation(s), connection(s) to the National Grid and ancillary and temporary works.	0km (within and adjacent) N.B. The onshore grid connection route for Dogger Bank South intersects with the Order Limits at Land Area B. It skirts to the north and west of Beverley and is expected to connect to the electricity grid at the proposed new National Grid Birkhill Wood Substation, approximately 0.5km from the Order Limits.	Pre Examination
EN010098 - Development of the Hornsea Project Four offshore wind farm. This is within the western area of the former Hornsea known as Zone 4, under the Round 3 offshore wind licensing arrangements established by The Crown Estate.	0km (within and adjacent) N.B. The onshore grid connection route for Hornsea Project Four skirts to the north and west of the Order Limits but is expected to connect to the electricity grid at National Grid Creyke Beck Substation where it intersects with the Order Limits.	Post-decision

24/03819/STPLF - Creyke Beck Substation extension	0km (adjacent)	Pending Decision
EN020034 - North Humber to High Marnham - A proposal to reinforce the 400kV high voltage power network between North Humber and High Marnham.	0km (adjacent)	Pre-application (application expected Q2 2026).
22/00824/STPLF - Construction of solar photovoltaic development including solar panels, installation of substation, medium voltage power stations, battery energy storage containers, erection of perimeter fence and CCTV poles with associated access and erection of temporary construction compound	0.1km north	Approved
25/01898/STPLF – Erection of new 400kV electricity substation, new vehicular substation, new vehicular access, new access road and associated works	0.5km north	Pending Decision
EN010144 - Dogger Bank D (DBD) Offshore Wind Farm encompasses a circa 2000MW offshore wind farm, offshore high voltage transmission and potential onshore transmission and Hydrogen Production Facility infrastructure.	0.5km west	Pre-application (application expected Q3 2026)
23/00760/STPLFE - Installation and operation of a Solar Farm (maximum output of approximately 49.9MW) with a Battery Energy Storage System (BESS) (capacity of 20MW) and associated infrastructure including inverters, transformer/substation , cables, CCTV, access tracks, perimeter fencing and landscape works	8.1km south-east	Approved
19/04321/STPLF - Construction of a solar farm and battery storage facility together with all associated works, equipment and necessary infrastructure	9.2km north-west	Approved

6. KEY POLICIES AND DOCUMENTS

Development Plan and Local Guidance

East Riding Local Plan Strategy Document Update (ERLP SDU) (April 2025)

Policy A1 Beverley and Central sub area
Policy S1 Sustainable development
Policy S2 Addressing climate change
Policy S4 Supporting development in Villages and the Countryside
Policy S8 Connecting people and places
Policy S9 Strengthening blue/green infrastructure
Policy EC1 Supporting the growth and diversification of the East Riding economy
Policy EC4 Enhancing sustainable transport
Policy EC5 Supporting the renewable and low carbon energy sector
Policy EC6 Protecting mineral resources
Policy ENV1 Integrating high quality design
Policy ENV2 Promoting a high-quality landscape
Policy ENV3 Valuing our heritage
Policy ENV4 International, National and Local Sites of Importance for Biodiversity
Policy ENV5 Enhancing biodiversity and geodiversity
Policy ENV6 Managing environmental hazards

National Planning Policy Framework

National Policy Statements

NPS EN-1 – Overarching National Policy Statement for Energy
NPS EN-3 – National Policy Statement for Renewable Energy Infrastructure

NPS EN-5 - Electricity Networks Infrastructure

Guidance/supporting documents
Supplementary Planning Document - Sustainable Transport (2016) (SPD)
Flood Risk Sequential and Exception Test SPD (Nov 2021)
Landscape Character Assessment
East Riding Design Code

7. KEY ISSUES

7.1 East Riding of Yorkshire Council consider the key issues in relation to this Nationally Significant Infrastructure Project are:

- Flexibility
- Principle of Development/Policy Background
- Impact on Best and Most Versatile Land
- Design, Landscape and Visual Impact
- Highways and Transportation
- PROW and Countryside Access
- Flood Risk and Drainage
- Living Conditions
- Ecology, Trees and Landscaping
- Heritage Assets including Archaeology
- Minerals Safeguarding

Flexibility

7.2 Paragraph 2.10.70 of NPS EN-3 states that in many cases, not all aspects of the proposal may have been settled in precise detail at the point of application. Such aspects may include: the type, number and dimensions of the panels; layout and spacing; the type of inverter or transformer; and whether storage will be installed (with the option to install further panels as a substitute).

7.3 The applicant wishes to retain flexibility regarding the design of certain components of the development including the type, number and dimensions of panels, layout and spacing. The applicant has prepared a Design Parameters Document which sets out the main design principles. The full detailed design at the point of construction would be secured through details submitted to the Local Planning Authority in accordance with the DCO, requiring the details to be in accordance with the design parameters.

7.4 Securing the detailed design post-consent is necessary to achieve technological and design flexibility for the scheme because solar photovoltaic (PV) technology is rapidly evolving. The Scheme seeks to allow provision in the DCO for the technological innovation and improvements that may be realised at the time of procurement and construction, to ensure that the Scheme can be constructed taking advantage of innovation and cost efficiencies.

7.5 That necessary flexibility has been facilitated by the adoption of the 'Rochdale Envelope' approach in the Environmental Statement (ES). The Rochdale Envelope approach ensures the maximum parameters and realistic worst case have been assessed, and that envelope is defined by the design principles set out in the Design Parameters Document. Therefore, by requiring that the detailed design of the scheme must be in accordance with this document, there can be confidence that the environmental effects would be the same as or no worse than those assessed and reported in the ES. This is considered to be an acceptable approach.

Principle of Development and Policy Background

Planning Act 2008

7.6 In accordance with Section 104 of the Planning Act 2008, in determining applications for development consent decision makers must have regard to:

(a) any national policy statement which has effect in relation to development of the description to which the application relates;

(aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009;

(b) any local impact report submitted to the Secretary of State before the deadline specified in a notice under section 60(2);

(c) any matters prescribed in relation to development of the description to which the application relates; and

(d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

7.7 Section 105 of The Planning Act 2008 applies where there is no specific NPS in relation to the development proposed and directs that in these instances that, in determining the application, the Secretary of State must have regard to:

(a) any local impact report submitted before the deadline specified in a notice under Section 60(2);

(b) any matters prescribed in relation to development of the description to which the application relates; and

(c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

National Planning Policy

National Planning Policy Framework (NPPF) (2024)

7.8 Paragraph 161 states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

7.9 Paragraph 168 states that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the need for renewable energy and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.

National Planning Practice Guidance (NPPG)

7.10 The PPG on Renewable and Low Carbon Energy states (para. 007) that in considering applications for renewable energy:

- The need does not automatically override environmental protections;
- Cumulative impacts require particular attention, especially the impact large scale solar farms can have on landscape and local amenity;
- Recognising effect of local topography on landscapes including flat areas;
- Protecting heritage assets
- Sites in or close to National Parks and AONB's will need careful consideration;
- Protecting local amenity.

7.11 Para. 013 sets out particular planning considerations for assessing large scale ground mounted solar farms as follows:

- Focussing development towards previously developed and non-agricultural land;
- Where on greenfield land (i) whether the proposed use on any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; (ii) the proposal allows for continued agricultural use, and/or (iii) encourages biodiversity improvements around arrays;
- Recognising they are temporary, and conditions can require their removal when no longer in use;
- Effect on visual impact including on landscape, glint and glare, on neighbouring uses and aircraft safety;
- Any additional impact from arrays that follow the sun;
- Need for and impact of security measures such as lighting and fencing;
- Protection of heritage assets;
- Potential to mitigate visual impact through natural screening;
- Energy generating potential.

National Policy Statements

7.12 New National Policy Statements for Energy (EN-1 to EN-5) came into force on 17th January 2024.

7.13 NPS EN-1 (the Overarching National Policy Statement for Energy) sets out the Governments energy policy and this is supported by 4 technology specific NPS documents. NPS EN-1 confirms that the provision of nationally significant low carbon infrastructure is now a critical national priority (CNP). It introduces a policy presumption that the urgent need will in general outweigh any other residual impacts that are not capable of being addressed through the application mitigation. However, section 104 of the 2008 Planning Act still applies.

7.14 EN-1 sets out a number of impacts that should be assessed, whilst recognising these are not exhaustive:

- Biodiversity, ecological, geological conservation and water management
- Landscape, visual and residential amenity
- Glint and glare
- Cultural heritage
- Construction including traffic and transport noise and vibration

7.15 Solar power is now included in NPS EN-3 (National Policy Statement for renewable energy infrastructure). Section 105 of the 2008 Planning Act therefore no longer applies to solar DCO applications. EN-3 states that solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector and that a five- fold increase in ground and rooftop solar deployment will be expected in order to meet decarbonisation ambitions by 2035. The government seeks large scale ground-mounted solar deployment but is looking for development mainly on brownfield land, industrial and low and medium grade agricultural land. In terms of best and most versatile land EN-3 states that where possible previously developed, contaminated and industrial land should be utilised, but that that should not be the predominating factor. Where agricultural land is used poorer quality land should be preferred.

7.16 NPS EN-3 sets out a number of considerations but recognises that there will also be considerations specific to individual projects. The issues identified are:

- Irradiance and site topography
- Network connection
- Proximity to dwellings (visual amenity, glint and glare)
- Agriculture land classification and land type
- Accessibility
- Public rights of way
- Security and lighting

7.17 NPS EN-5 (National Policy Statement for Electricity Networks Infrastructure) identifies that new networks infrastructure is needed in support of the development of generation by other technologies, including those in EN-3, such as solar. As identified in EN-1, government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This includes for electricity grid infrastructure, associated infrastructure such as substations and cabling. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. These are viewed by the government as being CNP infrastructure and should be progressed as quickly as possible.

7.18 NPS EN-5 states that when evaluating the impacts of electricity networks infrastructure in particular, all of the generic impacts detailed in EN-1 are likely to be in play, even if only during specific phases of the development (such as construction), or at one specific part of the development (such as a substation). This NPS however has additional policy on the following issues:

- factors influencing site selection and design;
- biodiversity and geological conservation;
- landscape and visual; • noise and vibration;
- Electric and Magnetic Fields; and
- Sulphur Hexafluoride

<u>Local Planning Policy</u>

7.19 The ERLP SDU contains various policies which are relevant to the proposal. These include policies specific to the principles of energy production proposals and sustainable development, and more generic policies which although not specifically referencing energy schemes have overarching considerations which should be assessed as part of the identified potential impacts. The following policies are relevant to the principle of the development.

7.20 Policy S1 (Presumption in favour of sustainable development) and S2 (Addressing climate change) of the ERLP SDU promote a positive approach to sustainable development that reflects the presumption in favour of sustainable development in the NPPF and supports development that contributes to a reduction in greenhouse gas emissions. Policy S2 defines how that will be delivered and identifies policies ENV1 and EC5 as relevant. Renewable energy sources and decentralised energy generation is promoted through policy S2, in appropriate locations. In that respect the sustainable development requirement is applied across the ERLP SDU policies. These policies reflect the national policy direction which supports renewable energy but identifies that they should still be assessed against a range of potential local impacts.

7.21 The site lies in the open countryside. Policy S4 (Supporting development in Villages and the Countryside) applies in that respect. The policy supports energy development and associated infrastructure where proposals respect the intrinsic character of their surroundings. The site is not identified as having high landscape value, but a landscape assessment is required to assess local impacts and mitigation. Notwithstanding that, the policy recognises that energy development can support other objectives of the Plan and in that respect Policy EC5 (Supporting the energy sector) is relevant.

7.22 Policy EC5 supports energy sector development where any significant adverse effects are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. This includes the cumulative impacts of the proposal with other existing and proposed energy sector developments, the character and sensitivity of landscapes, and the effects of development on a range of issues such as local amenity, biodiversity, noise, traffic, and flood risk. This reflects the advice in NPPG which sets out the types of issues that need to be assessed. These are addressed in this Local Impact Report. Subject to those assessments policies S4 and EC5 support the principle of the development.

7.23 The sites fall within the Beverley and Central sub area of which Policy A1 is of relevance. This policy supports appropriate expansion and diversification of the sub area's key economic sectors including energy.

Local Plan Update

7.24 The Local Plan Update was adopted on 2nd April 2025, where it became part of the development plan. Applications submitted after this date are determined in accordance with the Local Plan Update, relevant neighbourhood plans and any other material considerations. This NSIP proposal was submitted prior to the Local Plan update. Any relevant changes to policies are therefore reflected in the assessment below.

Conclusion

7.25 In summary National Policy Statements, the NPPF and ERLP SDU policies promote sustainable development and renewable energy schemes where they are in an appropriate location. The site is in the countryside, where energy sector development is supported subject to assessment of specific local impacts outlined in policy EC5. These reflect national advice contained in NPS EN1, EN3 and EN5, paragraphs 161

and 168 of the NPPF and paragraph 7 of the PPG on Renewable and Low Carbon Energy which recognises that there is a need to support renewable energy production but that the wider benefits need to be weighed against residual harm. Therefore, whilst policy EC5 of the ERLP SDU supports the principle of energy development the local impacts are addressed through more specific policies and are assessed below.

Impact on Best and Most Versatile Agricultural Land (BMVAL)

7.26 Minimising the loss of Best and Most Versatile Agricultural Land is promoted by both National and Local Policy. The NPPF states that "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development"

7.27 National Policy Statement (NPS) EN-1 paragraph 5.11.12 states: Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).

7.28 NPS EN-3 paragraph 3.10.14 states that while land type should not be a predominating factor in determining the suitability of the site location, applicants should, where possible, utilise previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land (avoiding the use of "Best and Most Versatile" agricultural land where possible). Paragraph 3.10.15 advises that whilst the development of ground mounted solar arrays is not prohibited on agricultural land classified 1, 2 and 3a, or sites designated for their natural beauty, or recognised for ecological or archaeological importance, the impacts of such are expected to be considered. In addition, Paragraph 3.10.17 states that where sited on agricultural land, consideration may be given as to whether the proposal allows for continued agricultural use and/or can be co-located with other functions (for example, onshore wind generation, or storage) to maximise the efficiency of land use. Paragraph 3.10.16 recognises that at this scale, it is likely that developments may use some agricultural land. Applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.

7.29 Paragraph 3.10.18 of NPS EN-3 states that, if necessary, field surveys should be used to establish the ALC grades in accordance with the current, grading criteria to identify the soil types to inform soil management at the construction, operation, and decommissioning phases in line with the Defra Construction Code. Paragraph 3.10.19 further states that a Soil Resources and Management Plan should be developed, to help minimise impacts on soil health and potential land contamination.

7.30 A Written Ministerial Statement was published on 15th May 2024. The Statement prioritises the protection of high value agricultural land for food production over solar projects and encourages more use of brownfield land and rooftops. This statement sets out that due weight needs to be given to the proposed use of Best and Most Versatile land when considering whether planning consent should be granted for solar developments. For all applicants the highest quality agricultural land is least

appropriate for solar development and as the land grade increases, there is a greater onus on developers to show that the use of higher quality land is necessary. Applicants for Nationally Significant Infrastructure Projects should avoid the use of Best and Most Versatile agricultural land where possible. Both the NPPF, NPSs and the ministerial statement are a material consideration in the determination of any application.

7.31 In terms of Local Policy, Policy S4 of the ERLP SD states that development will be supported in the countryside where it does not lead to a significant Loss of Best and Most Versatile Agricultural Land. Policy EC5 requires an assessment of the effects on the land, including land stability, contamination, best and most versatile agricultural land and soil resources.

7.32 The Applicant has taken into account the agricultural land classification (ALC) and land type when identifying the Order Limits and the solar PV development within it. As part of this process, large areas of Best and Most Valuable agricultural land have been ruled out. A detailed survey for agricultural land quality has been undertaken, contained within the ES. The Proposed Development would lead to temporary impacts to soil and agricultural land for the duration of the operation phase (40 years), in particular the areas in which the BESS, substations and operational access tracks would be located. The area of land underneath the solar PV modules and within the field margins are proposed to be used for ecological mitigation and enhancements, which could include planting (including establishment of grassland and wildflowers), which would help to reduce soil degradation and erosion during the operation phase. Of the 891ha of the Order Limits, the survey encompasses 713.4ha of agricultural land, of which 249.9ha (35%) has been identified as Best and Most Versatile Agricultural Land (BMVAL) Land. The BMVAL on site comprises 8.8ha (1.2%) of ALC Grade 1 land, 96.3ha (13.5%) of ALC Grade 2 Land, and 144.8ha (20.3%) of ALC Grade 3a Land. 1.3ha of land would be permanently lost to the substations and access tracks however this is not categorised as Best and Most Versatile agricultural land. Use of non-BMVAL has also been prioritised for the areas of environmental mitigation. In the East Riding of Yorkshire area, it is understood that there is estimated to be approximately 172,403.6 hectares of BMVAL (approximately 73.4% of the total land used for agriculture). The temporary impact of the solar development on the 249.9ha of BMVAL equates to approximately 0.1% of the total BMVAL within the region.

7.33 The Council have commissioned an independent consultant to undertake a desk-based assessment of Chapter 10: Land, Soil and Groundwater of the ES (APP-047).

7.34 Whist a significant volume of land would be removed from agricultural rotation, the removal would be temporary, for a period of 40 years. The development would not result in significant areas of land that would be permanently sealed and during the lifespan of the development the soils beneath the solar would be preserved through ecological landscaping. Mitigation measures set out in the Soil Management Plan (SMP) and Construction Environmental Management Plan (CEMP) aim to reduce the erosion and compaction during the construction, operational and decommissioning phases and are to be secured as a requirement of the Development Consent Order (DCO). Soil disturbance is to be minimised by construction and maintenance traffic following set routes during the construction phase, as well as the implementation of

grassland and wildflower habitats underneath the solar infrastructure to limit soil erosion during the operational phase. The mitigation measures proposed are considered sufficient for the nature of the development. Given the lifespan of the development it is considered there would be a slight adverse effect on BMV land for that period, but with proposed mitigation to ensure the land is not sealed and would be maintained to ensure it is available for agriculture after the solar farm is removed, the overall impact is considered to be neutral.

7.35 There are a number of omissions and deficiencies within the assessment contained in Chapter 10: Land, Soil and Groundwater of the ES as highlighted by the Councils independent consultant. These are expanded upon within Appendix 1 of this report however in brief involve, no distinguishment between Soils and BMV agricultural land as their own receptors, and a missing sensitivity criteria for soils as a sensitivity receptor.

Conclusion

7.36 Overall, the assessment concludes that 65% of the agricultural land to be utilised for the proposed development is not BMVAL. Whilst 35% (249.9ha), comprising 8.8ha (1.2%) of ALC Grade 1 land, 96.3ha (13.5%) of ALC Grade 2 Land, and 144.8ha (20.3%) of ALC Grade 3a land would be BMVAL, the removal of the land from potential agricultural use would be temporary in nature and reversible. The permanent loss of 1.3ha for the siting of substations and access tracks would not be BMV land, located upon lower grade agricultural land. Whilst there are a couple of matters that are not considered to have been addressed such as not distinguishing between Soils and BMVAL agricultural land as their own receptors, and missing sensitivity criteria for soils as a sensitivity receptor, the proposed mitigation measures as set out in Soil Management Plan (SMP) and Construction Environmental Management Plan (CEMP) are acceptable, considered sufficient for the nature of the development and under these mitigation measures the proposed development is considered likely to have a slight adverse effect on BMV land for the lifespan of the solar farm, but neutral overall given the proposed mitigation measures to ensure it can be returned to agricultural use following removal of the panels. On this basis, the report is considered to provide evidence to justify compliance with National and Local Policy and the ministerial statement and it is concluded that the development would not result in a significant removal of BMVAL, the temporary loss that would occur would have a negative impact in terms of food security, however this would not be significant, particularly when considering the overall quality and quantity of agricultural land within the East Riding region.

7.37 Though not a consultee on this Local Impact Report, Natural England will also be a consultee as part of the wider examination process and will be required to comment and be satisfied that there is no significant loss of BMV having regard to National Policy.

Design, Landscape and Visual Impact

7.38 Policy ENV1 of the ERLP SD requires all development proposals to contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use and seek to reduce carbon

emissions and make prudent and efficient use of natural resources particularly land, energy, and water. It sets several criteria to be met to achieve a high-quality design that optimises the potential of the site and contributes to a sense of place.

7.39 Policy ENV2 of the ERLP SD seeks to promote a high-quality landscape and requires development proposals to be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and, where possible, seek to make the most of the opportunities to protect and enhance landscape characteristics and features. Development should protect the character and individual identity of settlements, protect and enhance important open spaces, retain important hedgerows and trees, maintain or enhance the character and management of woodland, retain, not detract from and enhance wetland and water feature characteristics and protect and enhance views across valued landscapes.

7.40 Policy EC5 of the ERLP SD supports proposals for the development of the energy sector, including solar PV where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. Sub-section A1 states that developments and associated infrastructure should be acceptable in terms of (A1) the cumulative impact of the proposal with other existing and proposed energy sector developments; (A2) the character and sensitivity of landscapes to accommodate energy development, with consideration to the identified Important Landscape Areas.

Design

7.41 A Design Approach Document (APP-149) outlining the design vision and project design principles along with a Design Parameters Document (APP-150) which sets out parameters and principles with which the development would be required to comply, accompany the application. Flexibility is sought within the design parameters of the DCO to allow for the latest solar technology to be utilised at the time of construction, including the option to use either fixed or tracking panels systems. Despite the flexibility sought, the maximum height of the solar PV modules would be 3m with a minimum row separation distance of 4m, increasing to a maximum of 12m for fixed arrays and 6m for tracking arrays with this space varying across the land areas to ensure optimal efficiency through minimising effects of overshadowing. In addition to the solar PV panels, a range of equipment is required to support the solar PV modules including BESS, inverters and DC-DC converters grouped together in ‘hybrid packs’, switchgears, weather masts and two substations further to cabling and fencing, security camera sand security lighting, the maximum parameters of which are also contained within the Design Parameters Document (APP-150). With regard to the BESS, the Design Parameters Document (APP-150) it states that the containers would be light grey, white, dark green or similar in colour. It is unclear what ‘similar colour’ means as these colours are not considered to be within the same colour palette. It would be a preference of ERYC for the colour to be determined by Environmental Colour Assessment – see https://www.landscapeinstitute.org/technical-resource/environmental-colour-assessment/ given that certain colours such as moss green, do not sit well in the landscape.

7.42 In addition to the aforementioned design parameters, a number of offsets and buffers are proposed from the solar PV modules these being;

• Minimum of 10 m offset from all existing trees/woodland and boundary hedgerows,

where reasonably practicable.

- Minimum of 15 m offset from ancient woodland and veteran trees, where reasonably practicable.
- Minimum of 50 m offset from residential properties.
- Minimum of 10 m offset from all watercourses, ditches and ponds, other than locations where temporary span bridges are required to be installed or where existing crossing points or culverts require upgrading.
- Minimum of 50 m offset from all barns suitable to support nesting pairs of barn owls.
- Minimum of 10 m offset from all public rights of way, including new planting where reasonably practicable.

7.43 The aforementioned measures are to be secured within the Outline Construction Environmental Management Plan (CEMP) (APP-153) and Outline Decommissioning Environmental Management Plan (DEMP) (APP-155).

7.44 The ERYC welcome the requirements of the DCO to secure the design parameters document, Construction Environmental Management Plan (CEMP) and Decommissioning Environmental Management Plan (DEMP).

Landscape Character Assessment

7.45 The Order Limits have been selected and designed to avoid any statutory landscape designations. The nearest designated National Landscapes are the Lincolnshire Wolds and Howardian Hills, both of which are in excess of 30km from the order limits. The Yorkshire Wolds are under consultation proposed to be designated as an Area of Outstanding Natural Beauty (AONB/National Landscape). This potential designation is a minimum distance of approximately 7.5km to the proposed solar array element of the development.

7.46 The site lies within a single National Character Area (NCA), NCA 40 Holderness. At a district level, the East Riding of Yorkshire Landscape Character Assessment identifies that Land Areas B-F are located within Landscape Character Type 19: Open Farmland and specifically LCA 19D: Central Holderness Open Farmland, with the exception of Fields E13- E17 which are located within LCT 18: Low Lying Drained Farmland and specifically LCA 18A: River Hull Corridor. To the south-west of Land Areas B-F the grid connection cable route passes through LCA 18A: River Hull Corridor; LCA 18F: Figham and Swine Moor Common and LCA 16F: Beverley Parks Farmland. The grid connection cable route stops on the boundary of LCA 17B: North Cottingham Farmland.

7.47 An assessment of effects on LCAs 16F, 18A, 18F and 19D is provided at Appendix 11.3: Landscape Sensitivity Appraisal [APP-130). These LCAs were scoped into the assessment as the proposed development extends across them and as such there is the potential for a large scale of change to the character of the landscape. The remainder of the LCAs have however been scoped out of the assessment as the applicant has concluded that, when presented in the visualisations, the proposed development was considered to be barely perceptible beyond the host LCAs 19D and 18A. The Councils Landscape Consultant has however advised that insufficient evidence has been provided to support the claim that the indirect impacts to these LCAs would not be significant. Whilst it may be the case that they could be scoped out, this should be better evidenced in the LVIA.

7.48 Chapter 11: Landscape and Visual (APP-047) assess the effects on landscape character during the construction, operation and decommissioning phases concluding

this as being not significant, with the exception of landscape character effects during year 1 of operation on LCA 19D. There is likely to be a moderate adverse effect on existing landscape character, which is considered to result in significant adverse effects on LCA 19D: Central Holderness Open Farmland located on the arable landscape between the villages of Tickton, Leven, Long Riston, Skirlaugh, Wawne and Weel.

7.49 With the exception of the aforementioned evidence that has been requested with regards to scoping out a number of LCAs, the Councils Landscape Consultant does not dispute the conclusions drawn on the impact on the LCAs.

Landscape and Visual Assessment

7.50 The surrounding landscape of the development order limits predominantly consists of agricultural fields (mostly arable with some grassland) interspersed with hedgerows, ditches, small woodland blocks and farm access tracks.

7.51 As required by NPS EN-3, the application is accompanied by a Landscape and Visual Impact Assessment (LVIA) contained in Volume 2, Chapter 11: Landscape and Visual of the ES (APP-47) which considers the construction, operation and decommissioning phases in addition to a Cumulative Landscape and Visual Impact Assessment (APP-144). It is referred to in NPS EN-1 that the scale of energy projects means they will often be visible across a wide area.

7.52 A study area of 3 km from the boundaries of Land Areas B to F and up to 100 m either side of the interconnecting cable routes and grid connection cable route where these extend outside the wider 3 km study area has been considered as part of the LVIA. ERYC are satisfied with the approach taken to the study area.

7.53 With regard to Operation Year 1, significant moderate adverse effect on existing landscape fabric due to initial loss of a small extent of existing hedgerows is expected. By year 10 of operation, due to the proposed levels of new planting, there is assessed to be significant major/moderate beneficial effects on landscape fabric. A significant moderate adverse effect in year 1 of operation is also assessed on LCA19D on the character of the arable landscape between the villages of Tickton, Leven, Long Riston, Skirlaugh, Wawne and Weel. This effect is however expected to reduce to not significant by Year 10 of operation.

7.54 With regard to visual effect, a significant major/moderate adverse effect in year 1 of operation is expected on users of Kidhill Lane, which is adjacent to Field C7 and in close proximity to other fields in Land Areas C and F. By year 10 of operation, due to the proposed levels of new planting, the level of effect is considered not significant. Users of Meaux Lane/Meaux Road which runs directly through Land Areas D and F are also assessed as likely to experience moderate adverse effect in year 1 of operation. By year 10 of operation, due to the proposed levels of new planting, the level of effect is considered not significant. An assessment on the visual effect on PRoWs is contained within the PRoW section of this report.

7.55 Information on lighting has been provided in a number of documents (APP-039, APP-153, APP-155 and PDA-018) however has not been assessed or scoped out with sufficient justification within the LVIA.

7.56 Page 8 of Chapter 11: Landscape and Visual of the ES (APP-47) identifies that in previous discussions with ERYC it was agreed by the applicant that section drawings would be included with the landscape proposals which illustrated mitigation planting in relation to the solar panels. This was considered to be particularly relevant across the

raised footpath along the Monk Dike embankment adjacent to Land Areas B and C due to the nature of the local topography. ERYC's Landscape Consultant however advises that no such drawings appear to have been provided.

7.57 The assessment Summary of the LVIA is contained in table 11-15 (page 144) of Chapter 11: Landscape and Visual of the ES (APP-47). It is an unusual approach not to assess the effects upon each viewpoint, and rather to assess landscape and visual receptors with reference to viewpoints. Whilst ERYC's Landscape Consultant does not disagree with this approach in principle, it would be helpful to include an indication in the summary table as to which viewpoint/s represent each item.

7.58 APP-47 concludes that the Proposed Development will result in some adverse landscape and visual effects. As recognised in NPS EN-1 paragraph 3.1.2, significant adverse effects can be expected for new nationally significant infrastructure projects and it is therefore for the Examining Authority to carry out the planning balance.

Cumulative impact

7.59 A cumulative assessment including a cumulative landscape and visual impact of the development is contained within Chapter 15: Cumulative Effects of the ES (APP-051). This assessment concludes significant adverse effects by year 10 of operation are anticipated on views from Figham Common (in conjunction with Wilberforce Way long distance path and Figham Pastures LWS). Intra-project significant positive effects are however anticipated on landscape fabric by year 10 of operation as a result of the additional hedgerow planting proposed. An assessment on the cumulative visual effect on PRoWs is contained within the PRoW section of this report.

7.60 Document APP-051 further discusses the cumulative effects of the proposed development having regard to existing/approved development with Table 15-3 providing a list of other existing and/or approved developments with those receptors identified as having potential cumulative effects taken forward to Stage 2 of the intra effects combined assessment. Table 15-6 sets out an assessment on Intra-project combined residual effect interactions during construction and decommissioning (Stage 2) and identifies significant residual effects on a number of receptors which are set out in paragraph 15.6.3.

7.61 Inter-project cumulative effects assessment (construction and decommissioning phases) is undertaken at Table 15-8 with the LPAs Landscape Consultants advising "There are instances where the Landscape and Visual column, and Transport and Access Column, contradict one another as to overlap of construction periods."

7.62 Other comments have been made on document APP-093 with the Landscape Consultant advising "…it would be helpful to graphically denote which developments are solar and on document APP-144 where a summary table would be useful." The appendices include maps showing developments in proximity to the site.

7.63 It is requested that additional mitigation planting is provided regarding the Kenley House Solar Farm Cumulative assessment due to Wawne PRoW located between Weel and Wawne acknowledged as experiencing residual moderate adverse cumulative effects in year 10 and similarly at Springdale Farm. This request is also made on Turf Carr Solar Farm Cumulative assessment, Swine PRoW located to the east of Wawne and the south-east of Land Areas C and F are acknowledged as experiencing residual moderate adverse cumulative effects in year 10.

7.64 Overall, the LPA's Landscape Consultant considers that it would be appropriate to include cumulative assessments for Carr Farm at each of the 3 nearby residences that

have previously been identified in the RVAA as experiencing Significant effects at year 10 (Woodhouse, Meaux Decoy Farm, and Carr House Farm). These properties appear only to have been considered for Intra-project cumulative effects within APP-051 (ES-V2-Chapter 15) and we are not aware of a detailed cumulative RVAA that considers the additional effect of Carr Farm Solar Farm on these properties.

7.65 The following landscape and visual mitigation and enhancement measures have been embedded into the Proposed Development through various design iterations and consultations:

• Biodiversity Enhancement Areas which will improve biodiversity, landscape character, green infrastructure and assist wildlife around the study area.

• New hedgerow planting to soften views and provide screening and softening of views from nearby footpaths, highways and properties.

• Infilling of existing boundary hedgerows to soften and provide screening and provide a link between existing hedgerows.

• Planting of new, and extension of existing, woodland copse to assist in the long term screening of the Project Substation East, provide green infrastructure enhancements, soften views and provide screening from nearby footpaths and properties.

• Low level shrub planting and small tree planting to soften views from proposed permissive paths.

7.66 The existing hedgerows, woodland and field margins are proposed to be retained, with the exception of gaps required for new access points, visibility at vehicle turning points and for the installation of cabling.

Conclusion

7.67 Overall the submitted LVIA is considered to provide an accurate assessment of the visual and landscape impacts of the development and the proposed design generally provides good levels of mitigation in terms of the use of both existing and proposed landscape features. However, it is considered there would be significant adverse effects on visual amenity during the construction, operation and decommissioning phases which could potentially be experienced by residential receptors, users of PRoWs, the National Cycle Network (NCN), regional trails and road users up to 1 km from the Order Limits, where insufficient mitigation is proposed to screen the development. Significant impacts have been identified on several receptors and therefore it is recommended that additional landscaping and mitigation are required to off-set these impacts which are set out in Requirement 9 of the draft DCO for the submission of a LEMP. Without that mitigation it is the view of ERYC that the impacts on landscape and visual amenity would be negative.

7.68 The Council is also of the view that the Examining Authority, in addition to the comments made on the documents referenced, should have consideration to a cumulative RVAA that considers the additional effect of Carr Farm Solar Farm on the properties experiencing Significant effects at year 10 (Woodhouse, Meaux Decoy Farm, and Carr House Farm) and should be considered by the Examining Authority as part of the hearing sessions**.**

Highways and Transportation

7.69 Policy EC4 of the ERLP SDU relates to enhancing sustainable transport and for

development to address likely transport impacts and to bring forward other necessary transport infrastructure to accommodate expected movement to and from the development.

7.70 Policy ENV1 of the ERLP SDU sub-section B9 seeks to achieve a high-quality design, which promotes equality and safe access, movement, and use.

7.71 Policy EC5 of the ERLP SDU requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development on traffic (sub-section 3i) should be assessed.

7.72 The application includes a series of land areas where panels would be sited and a cable corridor to connect the site to a substation at Creyke Beck. Access to the substation is proposed using Park Lane, Cottingham, and there would be a number of other access points for construction traffic connecting the solar panel work areas to the local street network. The cable corridor would cross a number of streets. These are assessed in more detail below.

7.73 The applicants have engaged with ERYC Highway Development Management during the consultation process in which changes have been made based on feedback received. ERYC Highways in general have identified no issues except in relation to the proposed access for the Creyke Beck substation with this being an outstanding matter which has been flagged as a main issue for examination.

7.74 Concerns are had by the ERYC Highway Development Management Officer with regard to the proposed use of Park Lane, Cottingham as the access route. The oCTMP states that it would only be required briefly and would only require a small number of HGVs and LGVs. However, Park Lane is split into two main sections; the first part is a highly residential estate road whilst the second part is of single-track width and a well-used public right of way by both cyclists and walkers. The access from Northgate is also very constrained both in terms of tight radii and limited visibility. Additionally, ERYC do receive complaints on the narrow nature of Northgate when local residents are parked which acts as a throttle in places restricting the width to one way movement. It should be noted that there is a live planning application from National Grid for additional substations which would be required to provide an access from a layby off the A1079 which would be a much more suitable access for any additional vehicles to Creyke Beck substation. ERYC Highway Engineers have already granted technical approval for these works. Therefore, given the highway situation on Park Lane and potential for a viable alternative, ERYC consider that the use of Park Lane could have significant impact even if only used for a short period and would therefore object to the use of this access to serve the development.

Environmental Statement

7.75 Chapter 14 of the ES (APP-050**)** relates to Transport and Access. The Summary of stakeholder engagement in relation to ERYC is accurate and the documents which address these matters are reviewed below. The Assessment Summary (Table14-34)

within the ES is considered a robust assessment of the potential impacts of this NSIP. Whilst it is understood that the project timescales are long for this type of development including preparing all the information submitted the personal injury collision assessment is slightly outdated and should be updated to reflect more recent collisions to ensure the impacts remain as set out in the ES and TA.

Transport Assessment

7.76 A Transport Assessment (TA), Appendix 14.1 of the ES (APP-138) has been submitted to demonstrate that the development would be acceptable in transport and highways terms. This document follows transport assessment scoping discussions held with EYRC Highway officers and has taken into consideration the feedback from the TA Scoping Report provided by ERYC and their consultants.

7.77 The TA includes baseline traffic flows and extant permissions which may have an accumulated impact, to ensure that the junctions can be assessed accurately. ERYC Highways are satisfied with the information submitted to provide the baseline.

7.78 The Personal Injury Collision (PIC) review section states that the most recent five years of data has been provided which included 2 years of Covid-19 data where traffic levels were low. ERYC consider an updated PIC review should be undertaken to ensure a true impact of the network is available during the examination. This could be by way of an additional PIC update document for the most recently available data, potentially up to Dec 2024, which would be an additional two years of the most recent data.

7.79 The assessment of the local walking, cycling and public transport is robust in its opinion suggesting that these methods are unlikely to be used for the construction workforce. ERYC Highways agree with the summary stating… *The nature of the Proposed Development necessitates a rural location to provide sufficient space to provide the proposed solar PV development and associated equipment. The rural location of the site results in limited access to the site by walking, cycling and public transport.*

7.80 Anticipated timescales for construction, operation and decommissioning are:

- Construction phase – 2026 to 2028.
- Operational phase – 2028 to 2068; and
- Decommissioning phase – not earlier than 2068.

7.81 The likelihood for greatest impacts would be during construction and decommissioning. The construction phase would be split into six subphases and the assessments undertaken have been based on the following:

- Phase 1: Land Area B (months 1 to 4)
- Phase 2: Land Areas B & C (months 5 to 8)
- Phase 3: Land Areas C & D and commence grid connection cable route works (months 9 to 12)

- Phase 4: Land Areas D & E and continue grid connection cable route works (months 13 to 16)
- Phase 5: Land Areas E & F and continue grid connection cable route works (months 17 to 20)
- Phase 6: Land Area F and complete grid connection cable route works (months 22 to 24).

7.82 There would be limited operational movements which would not require further assessment as these would be ad hoc maintenance visits likely to be undertaken in LGVs.

7.83 At this stage it would be difficult to undertake any meaningful traffic assessment for the decommissioning stage and therefore we recommend this information be requested as a requirement.

7.84 There are six proposed vehicle access points to the land areas. The northern and eastern areas would be accessed via four access points from the A165, one to the north of Long Riston (with access to east and west), one using Carr Lane opposite Long Riston, and a third access to the south of Long Riston via Arnold Lane West, Black Tupp Lane and Carr Lane. The central areas would be accessed from the A1035 and Meaux Lane, and Work Area 10 to the west via a track from Weel Road. Road widening and passing places are proposed. All of the access junctions would be 7.3m wide and have a radii of 15m which would cater for HGV two-way movements at all junctions, which is considered acceptable. Mitigation is proposed in the form of carriageway widening and passing places on routes connecting to the accesses, and temporary traffic lights controlled by banksmen are proposed to control movements on and off the main highway network.

7.85 The proposed off-site mitigation is appended to the TA and is considered acceptable for the proposed development, however formal details of the accesses and off-site mitigation works would be required ahead of any development taking place. An additional requirement for this has been set out below.

7.86 The proposal includes internal access tracks which would provide internal links to each part of the development, which in affect could reduce the number of local highway network movements. EYRC Highways support the use of internal access tracks.

7.87 The development would have provision for up to 140 cars and eight mini bus drop off points spread across the sites during construction which is acceptable at this stage until a full CTMP is provided, which is a requirement in the draft DCO. A small number of secure cycle storage facilities would also be available with details to be agreed in the final CTMP.

7.88 The cable route crosses the A1074 (Hull-Beverley), Long Lane, and the A1079 Beverley By-Pass. Where grid connection routes cross public roads open cut trenching will be available and alternative no-dig solutions such as Directional Drilling will be provided which would minimise disruption. That is supported by ERYC

Highways. However, as previously mentioned the access to Creyke Beck where the connection to the grid would take place is proposed to be via Park Lane, Cottingham which is not suitable for any additional HGV movements.

7.89 The construction is likely to introduce significant HGV movements, and the main routing for deliveries is expected to be from Hull Docks via the A1035 and A1659There would be two Abnormal loads and in those cases the contractors would be required to contact the Abnormal loads team as per existing Abnormal Indivisible Loads (AIL) procedures. Swept paths information has been provided for these movements with mitigation which is considered acceptable. Whilst in principle the swept path drawings are acceptable, additional plans showing the full route where highway mitigation is needed at a scale of 1:500 would be required. This could form part of the full CTMP if necessary. Further details on this are available in the outline CTMP and would be formally identified in the full CTMP. Again, HGVs and AILs during the decommissioning would be agreed via a DCO requirement as set out in the Draft DCO.

7.90 The TA states that the majority of the movements and in particular HGV movement would be spread out between the hours of 09:00-16:00 avoiding the local highway network peaks of 07:30-09:00 and 16:00-17:30. This is acceptable and should be included within the oCTMP and CTMP to ensure it can be controlled.

7.91 Table 6.1 of the TA shows the construction HGVs and LGVs daily traffic likely for each land area of the development with on land area D showing over 100 daily movements at 124 daily two-way movements, half of which would be HGVs.

7.92 Table 6.2 of the TA shows the construction staff and trip numbers which are at their peak during the land area D phase. The peak staff numbers would be 248 of which half are expected to use a shuttle bus meaning a total two-way vehicles movement of 50 per day. These numbers seem low. However, the full CTMP should formally restrict the movements of staff to ensure that the minibus is to be used.

7.93 Table 6.3 is titled proposed development daily staff trips, however this is also showing the HGV movements during the construction and should therefore be retitled. However, the review of this information would suggest that the worse-case scenario would be during the construction of land areas C and D where a total of 378 two-way movements is anticipated of which 112 would be HGVs. Whilst the HGVs avoid the peak, the staff are likely to arrive and depart during each network peak and would have 81 arrivals in the AM peak and 81 departures in the PM peak. However, the impacts from vehicle movements are acceptable and should be monitored by the applicant as part of the formal CTMP to ensure the impact remains at this level.

7.94 As agreed during the TA scoping stage, the proposal should assess the six local strategic junctions as outlined in para 8.5 of the TA. These are:

- A1035 / Meaux Lane priority junction.
- A1035/ A165/ A165 White Cross Road/ Beverley Road (White Cross Roundabout).
- A165 White Cross Road / Site Access to Land Area B.

• A165 White Cross Road / Carr Lane.
• A165 White Cross Road / Arnold Lane West; and
• A1035 / A1174 Swinemoor Lane / A164 Grange Way / B1230 Hull Bridge Road (Swinemoor Lane Roundabout).

7.95 Typically, ERYC would require mitigation for any junction with a Ratio to Flow capacity (RFC) above 0.85 (85%). All assessed junctions would operate at or below 79% which would mean that the local highway network remains below 85% RFC threshold and therefore operates well within capacity.

7.96 There is no requirement for junction assessments during the operational phase due to limited associated traffic movements, and the decommissioning would be agreed as part of the future requirements of the DCO.

7.97 The TA summaries suggest that the operation (including maintenance) and decommissioning phases have been assessed qualitatively since they will generate fewer trips than the construction phase. In both instances, it is considered that the traffic generation would have a negligible impact on the local road network.

7.98 Overall, the TA is a robust assessment of the development's construction impacts on the local highway network and it is reasonable to agree that the numbers represented in the TA would not have a significant impact on the local highway network in terms of highway safety nor free flow of the network.

Outline Construction Traffic Management Plan

7.99 An outline Construction Traffic Management Plan (oCTMP) (APP-158) has been submitted. A full Construction Traffic Management Plan (fCTMP) would be submitted once a contractor is appointed, ahead of construction works and this would be a requirement.

7.100 The oCTMP identifies seven main compounds and twelve satellite compounds which are all located within the land work areas. These would all have parking and manoeuvring facilities for construction vehicles. The indicative construction layout plan is acceptable, but full details of this should form part of the full CTMP. Whilst it is acknowledged most vehicles would not bring debris on the road, a wheel washing facility would still be provided at each compound/access and formal detail of this should be provided by the contractor as part of the full CTMP.

7.101 The oCTMP covers road crossings as did the TA by suggesting the higher classification roads will be via hydraulic directional drilling, and full details of this should be provided as part of the final CTMP.

7.102 The oCTMP outlines the construction hours of 07:00-19:00 as well as HGV delivery hours of 09:00-16:00 which reflects the hours in the TA and are acceptable to avoid peak traffic flows.

7.103 Section 4.1 of the oCTMP along with Appendix C shows the routing strategy which have been agreed in principle. The proposed routing to provide access to the land areas/compounds prioritises use of the A165 and a1035 to avoid disruption to minor roads, although it is necessary to use some minor roads due to the sites rural location. These are Meaux Lane, Meaux Road, Arnold Lane West, Black Tup Lane, Carr Lane (Long Riston) and Carr Lane (Arnold). The oCTMP shows what has been agreed and is therefore considered acceptable pending the mitigation as identified, is in place before construction.

7.104 Routing of HGVs via Park Lane, Cottingham to the substation has previously been identified as unacceptable to ERYC.

7.105 Section five of the oCTMP covers the larger movements and identifies the swept paths for a typical 16.5m articulated vehicle and are acceptable pending additional plans as outlined in the Transport Assessment section. The oCTMP identifies that a specialist haulier would be required for the AILs and that a full route survey would be required. This is agreed and should be submitted as an appendix of the full CTMP (FCTMP) as per requirement.

7.106 It is noted that relevant representations have been provided by members of the public in relation to the location and access route for the substation. The comments suggest that the substations for the development would be accessed via Green Lane, Arnold, however this lane is under private ownership and therefore ERYC Highways have no comments to make as it is not part of the public highway network. From the documents received it appears that the access roads to be used for the substation deliveries are Carr Lane from the A165 and Meaux Lane from A1035, both of which are acceptable pending the submission of the full CTMP.

7.107 Highway improvements, identified in the TA, are proposed to cater for the additional movements the development construction is likely to create. These have previously been identified between the ERYC highway team and the applicants and are considered acceptable.

7.108 The oCTMP has identified that ERYC request that a dilapidation survey is submitted ahead of any construction works and then again following construction. This would need to be first submitted to ERYC highway teams for review, before formally appending to the full CTMP. The agreed extents of this is within the ES Volume 3, Figure 14.1: Study Area for Transport and Access [APP-089].

7.109 The principle of the construction works travel plan is acceptable however, further detail of this is provided within Appendix A of the oCTMP as an Outline Travel Plan (oTP). The oTP is considered acceptable for the type of development and operations likely to take place, however further details of the measures would be required in a full Travel Plan which can be submitted alongside the full CTMP.

Highway related comments on the Draft DCO

7.110 The Draft Development Consent Order (DCO) (AS-007) covers highway (street work) related matters in Part 3 – Streets. The draft DCO suggests the highway works

required as part of the development would not require to enter a S278 and S184 agreement with the Council, this is not considered acceptable. The works within the highway, especially those that are to be formally adopted by the council after the construction phase, would require a S278 or S184 agreement to cover the council against any works failures in the reasonable period agreed within the S278.

7.111 The Draft DCO also appears to waiver some significant clauses of the New Roads and Street Works Act, which the council reply on for notice periods for any temporary works/ traffic management required, these licences and notices should still be provided to the council in a timely manner.

7.112 Highway Management request that an additional requirement is put in place to secure the approval of formal detailed construction plans of all off-site mitigation works and access points to ensure the construction within the public highway is acceptable to the Council. This will be done through the highway technical approval process, and the Council must provide a construction approval notice to the applicants before works can start on the construction of the development or any off-site highway works.

Conclusion

7.113 The site is spread across a number of land areas within a primarily rural location. The Council are satisfied that the assessments of expected traffic generation at all stages, the access to the land areas and proposed mitigation would not have a significant impact on highway safety or movement in the area and therefore be a neutral impact.

7.114 The proposed use of Park Lane, Cottingham as the route to the Creyke Beck sub-station works is not supported by the Council. It is considered it would have a negative impact on highway safety and residential amenity for dwellings on Park Lane. An alternative could be provided from the A1079 and the Council would request this is explored further.

7.115 Cable route road crossings should be carried out using Horizontal Directional Drilling. The Council would not support open cut crossings of these roads.

Biodiversity and Ecology

7.116 Policy ENV5 of the ERLP SDU seeks to ensure proposals enhance biodiversity and geodiversity. This includes conservation, restoration, enhancement or recreation of biodiversity habitats and geodiversity interests, and safeguarding, enhancing, creating and connecting habitat networks.

7.117 Policy ENV4 of the ERLP SDU at Part A advises that proposals that are likely to have a significant effect on an International Site will be considered in the context of the statutory protection which is afforded to the site. Part B of the Policy requires development to follow the mitigation hierarchy to first avoid, then mitigate, and where necessary compensate for loss or harm to biodiversity. Where loss or harm to a national or local designated site cannot be avoided, or adequately mitigated, as a last resort compensation for the loss/ harm must be agreed. Development will be refused if loss or significant harm cannot be avoided, adequately mitigated or compensated for.

7.118 Policy EC5 of the ERLP SDU states that proposals for the development of the energy

sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development with respect to biodiversity, geodiversity and nature should be considered.

7.119 Policy ENV1 of the ERLP SDU sub-section A1 seeks to contribute to safeguarding and respecting the diverse character and appearance of the area through design, layout, construction and use. Sub-section B12, seeks to ensure infrastructure, including green infrastructure is well integrated into the development and B13, to incorporate, nature conservation and biodiversity enhancements.

7.120 The sub-area policy A1of the ERLP SDU require development to support integrated approaches to habitat and species management, safeguarding and enhancing designated sites and green infrastructure corridors.

7.121 East Riding of Yorkshire Council Nature Conservation Team Leader has worked with the applicant during the consultation phase. The Nature Conservation Officer has provided detailed comments which are set out below.

Protected Sites

7.122 A Habitats Regulations Assessment – Information to Inform Appropriate Assessment (APP-145) has been submitted in support of the proposal. The HRA identifies the Humber Estuary Special Protection Area (SPA) and Ramsar (8.5km south) and Hornsea Mere SPA (5.5km east) in relation to impacts. Loss, disturbance and displacement of mobile species using Functionally Linked Land is identified for assessment and this is considered appropriate, as is glint and glare impact. Impacts on the Greater Wash SPA are ruled out in the Assessment and this is agreed as appropriate.

7.123 Wintering bird surveys have been carried out and found limited, but some significant use of the main site and adjacent areas by Humber Estuary SPA/Ramsar species, and on that basis the assessment defines the site as functionally linked, although that does not include any functional link of the main development area to Hornsea Mere SPA. It is agreed that the sites are functionally linked as described in the Assessment.

7.124 There is some deviation in the survey design from Natural England's standard guidance but given the distance from the SPA/Ramsar Site, and the nature of the majority of impacts closer to the designated site being temporary, the surveys carried out are considered to be sufficient for the main site. Further information is being collated in relation to the passage and wintering surveys of the grid connection cable corridor and therefore a full appraisal of scheme wide impacts will require analysis of these results as they become available. ERYC will have the opportunity to respond to those surveys when they are published during the course of the Examination.

7.125 Impacts from the cable corridor would be temporary however construction impacts such as noise and visual disturbance should also be considered up to 300m from source and be assessed in consideration of baseline scenarios, including identification of any further mitigation that may be required to minimise disturbance on protected species.

7.126 Mitigation for loss of functionally linked land within the main site and adjacent areas is detailed and secured in the outline Landscape and Ecological Management Plan (PDA-018). The mitigation includes the creation of a series of shallow wader scrapes

in flat arable fields. Mitigation Areas 11 (7.08ha) and 13 (7.33ha) and grassland creation within Mitigation Area 9 (21.48ha) are to be created prior to construction commencing. Wet grassland is difficult to create unless there are suitable hydrological ground conditions. To determine the suitability of land for the creation of wet grasslands hydrological studies are needed to confirm that suitable hydrological conditions are present. At the current time hydrological surveys have not been undertaken and this is a concern that it does not provide sufficient certainty that the proposed mitigation measures for SPA/Ramsar species are likely to be successful.

7.127 To provide a successful mitigation at Mitigation Area 11(E6), the land needs to be reasonably open and human activity minimised. There are concerns in relation to the extent of enclosure of Mitigation Area 11 (E6) and the introduction of permissive access paths around the site boundaries. There are solar panels to be installed to the immediate north and further enclosure is likely to occur to the west should the Carr Farm Solar Scheme 22/03648/STPLFE be implemented following its recent allowed appeal decision. Views are secured to the south of the site due to the presence of the Scheduled Monument (Meaux duck decoy), however, existing mature trees on this site slightly impact the mitigation area. The site and proposed scrapes also straddle flood zones 2 so there is concern in relation to the deliverability of wet grassland in this area.

7.128 Mitigation Area 13 (E13 and E14) is well placed to the west of the development and connects to the Carr Farm Solar proposed SPA/Ramsar mitigation area. However, it is not dependent on that proposal in order to deliver an appropriate mitigation area. Existing hedgerows to the south mitigate the impact of introduction of solar panels to the south. The position between the Humber Estuary and Swinemoor Common Local Wildlife Site (known FLL) is optimal. The site lies within Flood zone 1, however, EA surface water flood maps indicate that some areas of the site are vulnerable to surface water flooding and the likelihood of scrapes holding water is increased. The existing use of this area by roosting curlew on passage indicates its suitability for targeted enhancements and that existing hedgerows do not pose a constraint to use by this sensitive species.

7.129 Similarly to Mitigation Area 11, there are concerns about the introduction of recreational activities around the Mitigation Area 9. This has the potential to displace passage and wintering birds compromising the success of the mitigation area. The proposal states that the mitigation areas will be managed for 30 years. SPA/Ramsar Mitigation Areas must be managed for the lifetime of the development.

7.130 Current Natural England advice is that a 150m buffer should be provided around ‘core’ mitigation land and any deviations should be fully justified. With regard to noise disturbance para. 7.3.5 of the Habitats Regulations Assessment – Information to Inform Appropriate Assessment (APP-145) makes an assessment based on guidance that Natural England have previously advised the East Riding of Yorkshire Council they do not support. Their guidance infers that noise impacts during construction impacts should be assessed up to 300m from source and should be considered relative to the background noise levels. The Habitats Regulations Assessment – Information to Inform Appropriate Assessment (APP-145) identifies that visual and noise disturbance of mitigation areas is likely from construction activities and that 3m high visual and acoustic barriers (typically 3m high) would be installed between bird mitigation areas and the working area where this is within 150-200m of the mitigation land. This is appropriate where existing vegetation screens views of construction areas. Where open views will be lost due to the proposed

development, the loss of sight lines may pose a constraint to the success of SPA/Ramsar bird mitigation areas during the construction phase due to the enclosure created by the acoustic fences.

7.131 Water quality impacts are screened in for the Humber Estuary SPA, Special Area of Conservation (SAC) and Ramsar. Water quality improvements during operation would be significant across the order limits from changes in land management. Best practice measures/embedded mitigation during construction mitigates the risk of pollution impacts locally and is not considered a risk to designated sites and is appropriately secured in the outline Construction Environmental Management Plan (oCEMP) (APP-153). The embedded design and protocols for the BESS follow best practice and would avoid impacts on the water environment associated with fire water. Operational impacts related to cleaning of solar PVs should confirm the use of water only for this task and this should be secured in Section 2.2 of the outline Operational Environmental Management Plan (oOEMP) (APP-154).

7.132 During construction, likely significant effects are screened in for the Humber Estuary designated sites within the Habitats Regulations Assessment – Information to Inform Appropriate Assessment Table 4-12 (APP-145) from the release of breakout contaminants, particularly bentonite during horizontal directional drilling (HDD) and water supply impacts which may arise due to abstraction. Water quality impacts to potential FLL are also screened in. Chapter 10: Land, Soil and Groundwater of the ES (APP-046) identifies only a low to moderate risk in relation to groundwater in principal aquifer/source protection zones. Table 5-1 of the Outline Construction Environmental Management Plan (APP-153) states “A Piling Risk Assessment will be prepared, if piling is required as part of the Proposed Development” and that “The Proposed Development would be compliant with the Environment Agency's groundwater protection policies.” Water supply impacts do not appear to be addressed elsewhere and clarity should be provided. Broad detailing within section 4.9 of the Outline Construction Environmental Management Plan (APP-153) for managing horizontal directional drilling HDD risks are acceptable, however, a site-specific risk assessment is imperative for where sensitive ecological receptors are present and should be included in the final CEMP.

7.133 Disturbance of lamprey from vibration, noise and electromagnetic fields (EMF) is taken to Appropriate Assessment (AA) due to HDD under the River Hull which is known to support migrating, spawning and juvenile river lamprey. Mitigation measures detailed in section 7.4.2 of the Outline Construction Environmental Management Plan (APP-145) state that receptor pits would be located approximately 50m either side of the River Hull and will take place at a minimum depth of 7m below the riverbed, potentially up to a maximum of 20m. These details are appropriately secured in the Design Parameters Document (APP-150) and are at such a depth that effects from EMF can be ruled out. Section 7.5.6 of the Habitats Regulations Assessment - Information to inform Appropriate Assessment (APP-145) further details that the cable will have ‘an insulating layer’. This too should be secured within the Design Parameters Document (APP-150). The Habitats Regulations Assessment - Information to inform Appropriate Assessment (APP-145) details that preferred timings to undertake the Horizontal Directional Drilling would be spring/summer (April to September)’ which would ‘avoid the peak lamprey migration period’. This should be detailed within the outline Construction Environmental Management Plan (APP-153).

7.134 Chapter 5: Approach to the EIA of the ES (APP-042) details that construction and decommissioning traffic generation falls below screening thresholds. It is agreed that

it is unlikely that additional construction phase traffic emissions as a result of the proposed development would cause a significant adverse effect on designated sites. The screening out of dust impacts is also considered appropriate.

Figham Pasture Local Wildlife Site (LWS)

7.135 A small area of Figham Pasture lies within the Order Limits, which would be used for the purposes of laying grid connection cable only. Habitat types are classified through the British National Vegetation Classification (NVC). The NVC classification for Figham Pasture should drive the design for development activities in the area with impacts to high value habitats avoided in accordance with the mitigation hierarchy of avoidance, mitigation, compensation, enhancement). Based on the details presented the coastal and floodplain grazing marsh (CFGM) priority habitat is in poor condition, and there is some uncertainty in relation to the extent of works across the LWS. However, the use of HDD which is proposed underneath the majority of Figham Pastures LWS is supported.

7.136 It is detailed that a maximum of 30m working width of Figham Pastures would be impacted. Chapter 7: Biodiversity Section 7.7.32 (APP-043) secured in the oCEMP (APP-153) states "The underlying grassland was species-poor with the turf detailed, in construction measures, being replaced within 48 hours of the trench being dug. Details on turf translocation are included within the oLEMP (PDA-018) section 6.3.25 and the Outline Soil Management Plan [APP-159], to ensure that the impact is minimal, with the trench width kept to a minimum (1.6m)." The oCEMP (APP-153) states a minimum width of 1.5m for open cut trenching would be achieved. Consistency should be provided, and in pre-submission discussions ERYC ecology officers advised that a 1.5m trench width and reinstatement of turfs within 48h would be acceptable.

7.137 Vehicle damage is to be mitigated through laying track. However there are some concerns related to vehicle movements as the submitted information does not provide sufficient clarity that works would not be undertaken between October and March; the oCEMP (APP-153) only states 'reasonably practicable'. ERYC seek clarity on that matter. Justification should also be sought on why temporary site cabins may need to be situated on Figham Pasture LWS.

7.138 The monitoring regime for reinstated habitats should be extended should injurious weeds dominate within Table 20-1 of the oLEMP (PDA-018).

Protected Species and Habitats

7.139 ERYC would expect to see embedded best practice avoidance and mitigation measures outlined within Table 5-1 of the oCEMP (APP-153) for protected species.

7.140 Bats- Appendix 7.6: Bat Survey Report (APP-110) presents the result of the bat surveys. The appraisal states that the land areas are likely of regional value for Nathusius' pipistrelle and of local value for all other bat species recorded, and that is supported. Trees and structures suitable for roosting bats are to be retained and therefore impacts can be ruled out. The oCEMP (APP-153) details that bat foraging

routes are to be maintained where breaks in hedgerows are required through the "temporary installation of structures", either fencing with camouflage type netting on top or filled with brash. Netting should be of a type not to cause wildlife entrapment and use of brash should be prioritised. Details for construction lighting also follow best practice. The inclusion of built features for bats across the scheme is welcomed.

7.141 Great Crested Newt (GCN) - The submitted information has identified ponds suitable for GCN and made an assumed presence on that basis. eDNA surveys (soil, water, sediment and air sampling) are still required for ponds identified as being suitable for GCN. However, assumed presence is suitably precautionary and pre-construction surveys are secured in the outline Construction Environment Management Plan (APP-153) for this species. ERYC Ecology officers have confirmed that they see no constraints to the use of either the district level licencing scheme or a low impact class licence, subject to confirmation with Natural England.

7.142 Water Vole and Otter - Appendix 7.7: Water Vole and Otter Habitat Suitability Report (APP-111) details results of the water vole and otter survey. Large drains and ditches were found to provide good habitat for water voles and they are assumed present. Six of the cable crossing points had optimal suitability, fifteen had good suitability, eight were suitable. The site is also considered to provide suitable habitat for otter. Likely impacts to these species are identified. The design for new culverts is acceptable and is appropriately secured in the outline Construction Environmental Management Plan (APP-153). The use of Horizontal Directional Drilling (HDD) is supported for major watercourse crossings and this will avoid impacts on water vole and otter. An assessment is provided in Section 7.8.37 - 7.8.39 of Chapter 7: Biodiversity of the ES (APP-043), however, pre-construction surveys for water vole and otter (secured via APP-153) should be undertaken for impacted watercourses found 'suitable' and above for both otters and water vole. Surveys for otter should extend up to 200m up and downstream of each crossing point (where open cut techniques required) and up to 5-10m from each bank as appropriate. Water vole surveys should be extended in accordance with the guidance in Box 1 of the Water Vole Mitigation Handbook. Updates should be included in Table 5-1 of a revised outline Construction Environmental Management Plan (oCEMP) (APP-153).

7.143 Reptiles - Suitable habitat for reptiles (grass snake) is present within the order limits and watercourse crossings have potential to impact this species group. Impacts on core habitat of known populations along the River Hull corridor will be avoided through the 50m setback for HDD. This species group should remain scoped in for potential species protection plans secured in the oCTMP (APP-153). The creation of the proposed wildflower grassland, wetland scrapes and improved riparian zone management as identified in the oLEMP (PDA-018) would benefit reptiles.

7.144 Invertebrates - Much of the onshore development area is low distinctiveness habitat and the arable dominance means that these areas are considered unlikely to support a particularly diverse assemblage of invertebrates. Terrestrial invertebrates can therefore be scoped out. Impacts on higher distinctiveness habitats are avoided as far as possible. Impacts to aquatic invertebrate in higher distinctiveness

watercourses are avoided by use of HDD. Localised impacts are likely from installation of box culverts during construction; however, this would be off-set by improvements in the management of the riparian zone during operation and water quality improvements due to land-use change.

7.145 Badger - Appendix 7.2: Badger Survey Report (APP-106) confirms the presence of badger within the development area. All identified existing badger setts would be retained with an appropriate offset distance to avoid disturbance or damage to setts. Pre-construction surveys are appropriate. Connectivity is to be maintained through the development for badger by delivering mammal access points within the fencing, to allow badgers to push under the fence. There are concerns in relation to the micro-siting of these access points however, as this targeted approach would restrict movement of badger within the wider landscape it should be recommended that this is explored further.

7.146 Other Mammals - Brown hare and hedgehog are present within the development area; species protection plans should include reasonable avoidance measures with regards to vegetation clearance in order to mitigate impacts. As above, in relation to small mammal access, this should be secured across the whole of the scheme. 10m off-sets would provide opportunities for movement of deer. The proposed embedded design stage mitigation to avoid entrapment of deer within fencing is supported. Location of fencing would ensure continuity of routes through the landscape secured in 6.3.7 of the oLEMP (PDA-018).

7.147 Fish - Mitigation measures for fish other than lamprey are restricted to water crossing design. Clarification is sought on whether open cut crossings or installation of box culverts would impact movement of fish during construction and any necessary associated mitigation measures should be secured.

7.148 Breeding Birds - Notable impacts to breeding birds are likely restricted to ground nesting species through displacement. Mitigation areas above 2.5ha consisting of flower-rich neutral grassland are primarily set aside for ground nesting birds. Monitoring is included but triggers should be included to indicate when remedial action should be implemented. Monitoring should include breeding bird activity as well as habitat condition stated in Table 20-1 of the oLEMP (PDA-018). Further details should be provided on target sward height for breeding birds, for example nesting skylarks avoid vegetation over 60cm and lapwings prefer more open swards. Use of species rich grassland mixes will ensure an abundance of prey items. Impacts to nesting birds from vegetation clearance during construction are mitigated and secured in the oCEMP (APP-153). Hedgerow and woodland bird species would benefit from improved species diversity and habitat management secured in the oLEMP (PDA-018).

7.149 Passage and Wintering Birds - Chapter 7: Biodiversity of the ES (APP-043) section 7.8.61 details that works would avoid the peak wintering bird season; this is not presently secured within the oCEMP (APP-153). Monitoring measures outlined at

section 7.11 of the Chapter 7: Biodiversity of the ES (APP-043) of are appropriate and proportionate.

7.150 Invasive Non-Native Species (INNS) - The Habitat Survey undertaken recorded no instances of INNS plants. Construction phase measures to avoid introduction of INNS are secured in the oCEMP (APP-153) and would minimise the risk of introducing invasive plant species. Mink, however, were recorded within the order limits and the commitment to humanely manage populations for the first three years detailed in 7.10.2 of Chapter 7: Biodiversity of the ES (APP-043) is welcomed. This should be secured in the oOEMP (APP-154) alongside the details in section 17 of the oLEMP (PDA-018).

7.151 Lighting - Section 2.5.4 of the Habitats Regulations Assessment - Information to inform Appropriate Assessment (APP-145) details that infrared sensor triggered security lighting would be required around key electrical infrastructure. The lighting design would seek to limit any impact on sensitive receptors. This commitment is secured at section 4.3 of the oOMEMP (APP154) and section 3.6 of the Outline Decommissioning Environmental Management Plan (oDEMP) (APP-155). It is recommended that Lux level impacts on adjacent habitats during construction, operation and decommissioning be less than 1 lux at sensitive ecological receptors.

7.152 Priority Habitat - Impacts on flood plain grazing marsh at Figham Common LWS and loss of hedgerow are likely and are considered elsewhere in this response. Arable field margins are to be retained and enhanced in terms of species diversity.

7.153 Veteran Trees- Three trees considered to be of veteran status are within or adjacent to the Development Consent Order Limits; T381 a category A pedunculate oak, T395 a category A Ash and T428 a category A Ash. Protection via the use of the veteran root protections areas is proposed and supported. A further tree is listed on the Woodland Trust's Ancient Tree Inventory as tree 204101, a sycamore within group G109, close to the Order limits south of Meaux Abbey Farm which may be impacted by access and works within parcel D18. The location should be confirmed to determine the likelihood of impact.

7.154 A new access road is proposed within the root protection area (RPA) of T381, a category A veteran pedunculate oak. This is contrary to the best practice design principles. Natural England and Forestry Commission Standing Advice on Ancient Woodland, Ancient Trees and Veteran Trees states that these buffer zones should remain semi-natural and development should not be located within these zones. Whilst mitigation is proposed in the form of above ground construction, it is considered that this would still amount to a deterioration throughout the operational lifespan of the project. Access tracks should be located outside of the veteran RPA.

7.155 Ancient Woodland - Ancient Woodland is present adjacent to the Order limits, G200 Category A Cote Wood. The oCEMP (APP-153) confirms that 15m offset would be maintained for this high value ecological feature and this is supported.

7.156 Trees - There would be no impacts to trees covered by a Tree Preservation Order, however, there are concerns in relation to the extent of loss of category B trees and groups and that impacts to T076 category A oak are not avoided with an access track incursion of 22% . No dig construction is proposed, however, design modifications should be considered so that impacts can be avoided. An iterative approach to design modification to allow retention of as many high value trees as possible should be sought.

7.157 Replacement planting, post construction, is detailed at section 5.2 of the oDEMP (APP-115). It is considered that options for earlier replanting should be requested.

7.158 Woodland - Considering the species mix in the Proposed mixed woodland species Table 8-1 of the oLEMP (PDA-018), it is recommended that an increase in longer lived species is included in the tree mix to provide resilience in the stock. Species such as walnut, small-leaved lime and sweet chestnut are present within order limits and the wider area. Proposed medium/large individual hedgerow and tree species in Table 7-1 should also include these species. Seeding of woodland ground flora detailed in Table 8-2 is welcomed

7.159 Hedgerow - Losses of hedgerow should be minimised, Tree Preservation Order and Hedgerow Plans (PDA-007) illustrates significant removals across the Order Limits. It is noted that an 8m indicative width for the cable route corridor is included. Where important hedgerows are impacted, a commitment should be made to minimising the extent of removal further, and that where removal is required for visibility splays for construction only, that complete removal is avoided.

7.160 In relation to Hedgerow removals H015 appears replaced on Figure 3.4: Indicative Environmental Masterplan APP-059 6.3 Environmental Statement (APP-058) however is recorded as lost in the Tree Preservation Order and Hedgerow Plans (PDA-007). We would request that loss of H044 of reduced from 24m and H014 and H015 from 40m unless justification can be provided.

7.161 Hedgerow species listed are acceptable and are appropriate to the Holderness Character Area. The additional inclusion of disease resistant elm and alder buckthorn is supported.

Built features for Biodiversity

7.162 Detailing in section 18 and Appendix of the oLEMP (PDA-018) are acceptable. The inclusion of species specific boxes e.g. starling and tree sparrow are particularly welcomed

Biodiversity Net Gain

7.163 The proposal aims to deliver at least a 10% net gain. As submitted, there are constraints to the LPA providing a full detailed response on biodiversity net gain as assessments of the proposals cannot be considered in context. It would be useful if habitat maps could be populated with parcel references for area, hedgerows and

watercourses and that features subject to enhancement and creation are assigned a relevant reference.

7.164 Assumptions provided for habitats not subject to a condition survey are appropriate. Given the scale of the Order Limits there are some geometry errors detailed but these are not significant. Refinements should be made wherever possible.

7.165 Details for calculation of strategic significance are acceptable, these may be updated on adoption of the Hull and East Yorkshire Local Nature Recovery Strategy and based on revised Defra Guidance (July 2025).

7.166 There are some discrepancies in the metric and assessment which should be clarified, these are set out below:

- Row 8 of A-1 cropland appears incorrectly recorded as strategically significant.
- Lines of trees recorded within the order limits including the grid connection corridor do not appear on the metric i.e. Figure 2: UK Habitat Classification Survey Page 1, 3 , 5, 7, 21, 24,
- Ponds are listed as priority within Appendix A mapping but as non-priority within the metric Appendix C assessment: Figure 2 pages 9, 16, 18. It isn't clear that ponds within the grid connection corridor are mapped.
- It is not considered likely that mixed scrub row 3 and row 10 sheet A-2 will be able to be reinstated /created in good condition; criterion B will be failed as mature shrubs will not be present.
- It is not appropriate to record the scrapes as 'temporary lakes ponds and pools (H3170) row 13 sheet A-2. Ponds habitat type and condition sheets should be used for these features. This habitat type is reserved for the Annex I habitat type 'Mediterranean temporary pond'**.**
- Post development habitats within the cable corridor Figure 3: Proposed Development UK Habitat Classification Plan are simply mapped as Cable Corridor. Future iterations should include for reinstatement of habitats including reasonably expected delays.
- Traditional Orchard is listed as being created at section 16 of PDA-018 but is not recorded in the metric. F17, area north of B8 and C8. The proposed habitat mosaics are supported in these areas. It is noted that these are 'under consideration' and an iterative approach to reviewing and updating the metric is supported as the scheme evolves. Consideration for the inclusion of local 'heritage' varieties should be made.

7.167 BNG Grassland - 5% of the solar areas are recorded as developed in accordance with the Building Research Establishment's (2014) Biodiversity Guidance for Solar Developments and this is consistent with the recently consented East Yorkshire Solar NSIP.

7.168 Appendix 7.10: Biodiversity Net Gain Assessment Section 2.5.3 (APP-114) details that within the main site, other neutral grassland in 'poor condition' is to be created under solar PVs (75%) and 20% created as other neutral grassland in moderate condition. The oLEMP Table 12-1 (PDA-018) details that this mix has a proportion of

non-agricultural grasses and 9+ forbs. Further details are needed to demonstrate that it is a good representation of the habitat type based on the UK habitat description (criterion A) to achieve moderate condition. The Landscape Management Plan should detail how targeted conditions are to be achieved.

7.169 Appendix 7.10: Biodiversity Net Gain Assessment Section 2.5.6 (APP-114) states that 5% of the total area of proposed created field margins, under Other neutral grassland (moderate) is to be re-created as Arable field margins – game bird seed mix to account for the creation of seed-rich foraging habitats for birds under the mitigation proposals. ERYC Ecology Officers concur with the detailing in the oLEMP (PDA-018) that records this habitat as an arable margin rather than neutral grassland in moderate condition. It is not appropriate to record this created habitat as other neutral grassland. Confirmation is sought that these are recorded as arable margins in Appendix C of Appendix 7.10: Biodiversity Net Gain Assessment (APP-114).

7.170 Coastal and floodplain grazing marsh would be reinstated to poor condition within two years and it is agreed this is achievable.

7.171 The species mix for the flower rich grassland (Table 15-1 of the oLEMP (PDA-018)) and wet grasslands (Table 16-1 of the oLEMP (PDA-018))) is appropriate to the UK habitat description. Stocking of wet grassland areas is unlikely to be appropriate over winter. Management of rush should be included in the maintenance operations (Table 16-3 PDA-108) and should not be allowed to exceed 20%.

7.172 BNG Hedgerows - Reinstated hedgerows would be recorded as lost and created. This is acceptable but further justification is required that all hedgerows can be managed in good condition. It is expected that hedgerows reinstated within the cable corridor are not under the management control of the applicant and therefore a more precautionary condition should be applied to these sections.

7.173 Appendix 7.10: Biodiversity Net Gain Assessment (APP-114) Section 2.5.9 provides narrative for the inconsistencies between the Tree Preservation Order and Hedgerow Plans (PDA -007) and Appendix 7.10: Biodiversity Net Gain Assessment (APP-114) in relation to hedgerow, tree and scrub identification; however, the extent of inconsistencies makes an accurate appraisal of impacts difficult. It is agreed that the extent of hedgerow inclusion in the BNG baseline likely provides an overestimation of hedgerows. Several of these elements are outside of the redline boundary used for the Arboricultural Report (APP-115) and Hedgerow Removals Plan (PDA-007). The difficulties in reaching a consensus on the nature of shrub, tree groups and hedgerows is understandable, particularly in reference to the prescriptive nature of UH Habs. The applicant should provide consistency across the documents where possible, for example if hedgerows are outgrown to scrub parcels, then these should be recorded accurately as an area habitat rather than a hedgerow. The biodiversity baseline is acceptable.

7.174 BNG Watercourses - ERYC do not agree that 'Minor' encroachment is reasonably precautionarily assumed for watercourse encroachment (section 2.5.11 of Appendix 7.10: Biodiversity Net Gain Assessment (APP-114). It is unlikely that "*5% to 20% of the bank length is an 'engineered bank revetment or there is encroachment across up to 10% of the channel width at any one point*". No encroachment would seem more reasonably appropriate for field drains in an agricultural landscape. This can be updated should surveys evidence greater encroachment.

7.175 Justification is needed to show why all riparian encroachment has been classified as moderate/moderate. Where arable practices extend within 2-5m of the bank top this is a reasonably precautionary approach, however, where the ditch is adjacent to permanent grassland this approach is not as robust.

7.176 Post development, the metric details that watercourse encroachment is to be reduced to 'no encroachment' but it is not clear how this is achieved. Can the extent of riparian encroachment be guaranteed for both banks post development to minor/minor.

7.177 It is not clear how the stated watercourse condition would be achieved if enhancements are limited to reduction in riparian encroachment and the planting of aquatic marginal vegetation (3.3.13 APP-114). All criteria must be achieved for 'good condition' for example and most moderate condition ditches are recorded as having two or more failures, where one failure is recorded (RSK_13 and 114) this is criterion B emergent, submerged and floating-leaved plants rather than criterion D - aquatic marginal vegetation.

Outline Operational Environmental Management Plan (oOEMP)

7.178 The measures that would be employed during the operation of the proposed development to control and minimise impacts on the environment are acceptable, including lighting, vegetation management, and noise limits. Table 5-1 of the oOEMP (APP-154) should include procedures for implementing, adapting and monitoring any protected species licences.

Outline Decommissioning Environmental Management Plan (oDEMP)

7.179 Details within the oDEMP (APP-155) in respect to biodiversity and detailed surveys are broadly acceptable and the decommissioning schedules to avoid impacts to sensitive species, using information based on up-to-date surveys are welcomed.

Conclusion

7.180 With regard to trees ERYC would seek to avoid loss of Category B trees and avoid impacts on veteran and Category A trees. There is a robust planting scheme and at post development an increase in woodland cover and hedgerow diversity and length would be achieved. In relation to protected sites, there are outstanding issues in relation to mitigation measures for displacement of Humber Estuary bird species and impacts on Figham Pastures Local Wildlife Site. It is expected with improved embedded mitigation all impacts to protected species can be appropriately mitigated. Long term improvements in biodiversity would be achieved. It is therefore expected that subject to the above being addressed, the long term impacts in relation to trees and ecology would be positive with short term impacts being reduced to neutral.

Public Rights of Way and Countryside Access

7.181 Public Right of Ways (PRoWs) are a valuable community resource in terms of physical and mental health and wellbeing. It is well known that being in nature for even a small amount so time, is beneficial to our health and PROWs offer the perfect facility for this, be that for short strolls from a settlement or longer rambles, but key is the landscape, nature, views, and peace a route can offer.

7.182 Policy EC4 of the ERLP SDU seeks to increase overall accessibility and encourage sustainable travel options, including cycling and walking. The provision of new and improved walking facilities is also supported by Policy S8 in which existing and disused cycling and footpath networks and facilities, including public rights of way will be enhanced and/or protected. Policy A1 further reflects the importance of connectivity through improvements to walking facilities including the public rights of way network.

7.182 There are several PRoWs within the Order Limits and surrounding land. Theses PRoWs are identified within the ES Volume 3 Figure 14.3: Public Rights of Way and Long Distance Paths Within and Adjacent to the Proposed Development Application (APP-091). A number of temporary closures/restrictions are proposed to the Prows as indicated on Streets, Rights of Way and Access Plans (PDA-005) with the powers necessary to temporarily close, alter, divert or restrict the use of PRoWs contained within the draft Development Consent Order. Whilst temporary closures/restrictions are proposed, there are no proposals to permanently stop up any existing PRoWs. The application is accompanied by an Outline Rights of Way and Access Management Plan (APP-160) which sets out the principles and measures that will be employed to manage public rights of way and permissive paths during the construction, operation (including maintenance) and decommissioning of the development.

7.183 A minimum offset distance of 10m from all PRoWs would be provided, and the screening proposed would be secured through the Outline Landscape and Ecological Management Plan Rev 2 (PDA-018). This offset is designed to minimise the level of visual change for users of the PRoW network and ensure they can continue to be used the same as predevelopment.

7.184 In addition to the existing PRoWs which are to be managed and maintained, approximately 12.6km of new permissive paths are proposed as indicated on Figure 3.1: Indicative Operational Layout Plan (APP-055). In addition to the permissive paths, community accessible land areas are proposed, secured and detailed within the Outline Landscape Ecological Management Plan (PDA-018) Figure 3.4: Indicative Environmental Masterplan (APP-058).

7.185 An assessment on the impact on the PRoWs within the development order limits and in the vicinity is contained within Chapter 11: Landscape and Visual of the ES (APP-047) with a further Cumulative Landscape and Visual Impact Assessment contained in Appendix 15.2 of the ES (APP-144). These assessments identify that recreational users of recreational routes and PRoW, are likely to be some of the most sensitive visual receptors of any change in the landscape. With regards to Riston footpath no.2 and Riston footpath no.1, it is understood that construction activity would be openly visible and result in major/moderate adverse effect on views for users of this PRoW which is considered to be significant, however this would be short term. In terms of the operational phase, a significant effect on views for users of Riston footpath no.2 and Riston footpath no.1 is assessed at both Year 1 and Year 10, whilst it is acknowledged that new planting would create a visual change, this would soften the impacts and partially to substantially filter views of the solar PV modules and ancillary equipment in adjacent fields. Whilst a significant effect is assessed to be experienced from Tickton bridleway no.5 at Year 1, this is anticipated to be mitigated by planting at Year 10 in which the effect would no longer be significant. During the decommissioning phase, there is not considered to be any greater effect than that experienced at the construction phase, with the new established planting providing additional screening to the decommissioning activities than at the construction phase. With regards to the cumulative landscape and visual impact assessment (APP-144) that has been undertaken, five solar farm proposals within

5km or the development order limits have been assessed in combination with the proposed development. Significant cumulative effects are identified upon and Tickton bridleway no. 5 at Year 1 and Swine PRoW and Wawne PRoW at Year 1 and Year 10. The Council's Independent Landscape Consultant has questioned if additional mitigation planting can be considered in response, possibly hedgerow along southern edge of field F13 to address the effect on Swine PRoW? Whilst significant cumulative effects are identified upon Riston footpath no. 1 and Riston footpath no. 2, these are not considered to be any greater than those identified by the proposed development.

7.186 Despite the aforementioned assessment on the visual effect from the PRoWs, Chapter 13: Population of the ES (APP-049) assesses that the addition of 12.6km of permissive paths, further to the 10m offset from PRoWs and no permanent closures of existing PRoWs, would likely result in a direct, permanent, long term slight beneficial residual effect on users of public rights of way.

7.187 The Council's Countryside Access Officer is satisfied with the proposed development and the impact on the existing PRoWs, raising no concerns, satisfied with the content of the Outline Rights of Way and Access Management Plan (APP-160), with Rights of Way and Access Management Plans secured as a requirement of the DCO. The Council's Definitive Map Officer has advised that with regards to the permissive paths proposed, these are considered acceptable and the ERYC would not seek to designate the provisional route as PRoW during the lifetime of the development, notwithstanding their statutory duty to process and determine an external application if received. The commitment to maintaining access to footpaths, including the proposed permissive paths, throughout the operational phase of the Proposed Development contained within the Outline Operational Environmental Management Plan (APP-154) is welcomed and supported.

7.188 In addition to the aforementioned internal consultees, the Council administers a statutory Local Access Forum which is an advisory forum comprising walkers, cyclists, horse riders and other users of the public rights of way network. Members of the Local Access Forum have submitted a representation to the Planning Inspector to highlight concerns regarding the potential impact of the proposals on the public right of way network. The site of the proposed solar farm contains multiple public rights of way and members of the Local Access Forum are very keen to ensure that the proposals both protect and enhance the public right of way network, consistent with the NPPF, the Overarching National Policy Statement for Energy (EN-1) and with the East Riding Local Plan Update, and do not diminish the experience and enjoyment for users of the network.

Conclusion

7.189 To conclude, the Councils Countryside Access Officer and Definitive Map Officer have raised no concern with the proposed development and the impact upon the use, enjoyment and experience of the PRoWs. The Outline Rights of Way and Access Management Plan (APP-160) and Outline Landscape Ecological Management Plan (APP-018) are welcomed, as are the 12.6km of new permissive paths that are proposed. Additional mitigation hedgerow planting should be explored, particularly along the southern edge of field F13 to address the effect on Swine PRoW.

Flood Risk and Drainage

7.190 Paragraph 174 of the National Planning Policy Framework requires decision makers to steer new development to areas at the lowest probability of flooding by applying a

Sequential Test. Planning Practice Guidance (PPG) indicates that the aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception test if required. Only where there are no reasonably available sites in Flood Zones 1 and 2 should the suitability of sites in Flood Zone 3 be considered (taking into account the flood risk vulnerability of land uses and applying the Exception Test if required).

7.191 Policy ENV6 of the ERLP SDU is concerned with managing environmental hazards and covers a range of issues including flood risk. It sets out that flood risk, including surface water flooding will be proactively managed.

7.192 Policy EC5 of the ERLP SDU further requires the effect of development on increasing the risk of flooding to be assessed. Paragraph 6.78 of the supporting text identifies that some energy developments, particularly those involving significant underground works, have the potential to increase the risk of flooding on the site or elsewhere in which these impacts need to be satisfactorily addressed.

7.193 Sub-area policy A1 also requires proposals to proactively manage the risk of flooding posed from the Humber Estuary and the River Hull and Burstwick Drain catchments, including the risk of surface water flooding, having regard, where appropriate, to the relevant Strategic Flood Risk Assessment and flood risk management plans and strategies.

7.194 The Council's Flood Risk Sequential and Exception Test SPD is a useful guide for developers, applicants, and Planning Officers.

7.195 The site is located in predominantly low-lying land, which relies on a network of drainage systems including ditches, culverts and pumping stations and is located within the area administered by the Beverley and North Holderness Internal Drainage Board.

7.196 A large Zone One Source Protection Zone (SPZ), with respect to a groundwater abstraction source, is present close to Cottingham, with large sections of the Order Limits being within the Zone One (inner protection zone), Zone Two (outer protection zone) and Zone Three (total catchment) sections of the SPZ.

7.197 Furthermore, it is located in Flood Zones 2 and 3, albeit benefitting from the presence of flood defences including the River Hull Tidal Surge Barrier. Flood Zone 3 indicates an area that has a high probability of flooding, defined as a 1% or greater annual probability of river or sea flooding. Flood Zone 2 is defined as having between a 0.1% and 1% annual probability of river or sea flooding.

7.198 Parts of the site, primarily along the eastern and western edges of Land Areas B and C and northwestern edges of Land Areas D and E are located within Flood Zone 3b which are within a functional flood plain.

7.199 A Flood Risk Assessment (FRA) (APP-021) has been submitted and confirms that

consultation has taken place with the Environment Agency (EA), East Riding of Yorkshire Council, and the relevant Internal Drainage Boards.

7.200 The FRA states that the risk of surface water flooding to the majority of the site is 'very low', however, there are large areas predicted to be at risk based on the Risk of Flooding from Surface Water (RoFSW) mapping. However, there are limitations to this dataset and the site benefits from below ground land drains which discharge to a complex network of field drains which themselves generally rely on pumping to raise water into large carrier drains such as the Monk Dike. While standing water may be present for weeks or months during prolonged rainfall and saturated conditions, this is expected to remain shallow and consequently, the risk of surface water flooding to sensitive infrastructure is assessed as being Low. The FRA states that the risk from other potential sources of flooding such as groundwater, sewers, and artificial sources is 'low' or 'very low'.

7.201 Hydraulic modelling has been carried out to assess the risk of fluvial flooding under various scenarios as set out in detail within the FRA. The outputs of the modelling work were used to guide the layout of the Proposed Development as well as to determine requirements for raising solar arrays and enabling infrastructure. This is stated to demonstrate that the impact of the panel supports on storage and flow in the floodplain will be insignificant and model tests show that there would be no increase of flood risk to third parties.

7.202 The FRA at various paragraphs, states that cable routes will be buried underground so will not impact upon flood risk.

Sequential Test

7.203 With regard to applying the Sequential Test, paragraph 5.8.23 of NPS EN-1 sets out that consideration of alternative sites should take account of the policy on alternatives described in Section 4.3 of NPS EN-1.

7.204 The Planning Statement (APP-147) includes a Sequential and Exception Test for the scheme. This sets out that the starting point for the Proposed Development was the identification of 320 MW capacity at National Grid Creyke Beck Substation with a 12km radius from the Substation established as a viable search area for a potential solar scheme.

7.205 Appendix 2 of the Planning Statement sets out the site selection process. This was a stage 3 process with stage 1 identifying a search area, stage 2 Excluded sites with Planning Environmental and Spatial Constraint and Stage 3 Identifying Potential Solar Development Areas.

7.206 Stage 1 considered various factors such as Irradiance and topography, Grid connection and capacity, Proximity to dwellings, ALC, BMVL and accessibility for vehicles within the 12km radius of the substation. Following this initial assessment, Stage 2 refined the search area to the north-eastern portion of the initial 12 km Search Area to minimise the use of provisional Grade 1 and 2 BMV land, focus away from major settlements and to avoid areas of particular environmental and landscape sensitivity. Additional factors were then considered as part of stage 2 including

designated sites, heritage and flood risk with details shown on the accompanying maps within the Planning Statement (APP-147) on pages 463-464.

7.207 The final stage involved finding an appropriate amount of land to secure both the connection capacity and the required mitigation and enhancement land that was close to the substation with the use of brownfield land also considered. 840 hectares of land was required to be secured to achieve a connection of 320MW Table 4.2 sets out the PDL sites on the Brownfield Register which are all too small to meet the requirements of the development.

7.208 The Planning Statement (APP-147) advises that "The Applicant sought to approach landowners within the refined Search Area whose land had been identified as meeting the key site selection criteria identified in Stage 1 and sought to minimise interface with key environmental constraints identified in Stage 2. Once the Applicant had identified willing landowners with sufficient land to maximise the Grid Connection, the initial Order Limits were created."

7.209 The Planning Statement (APP-147) further advises that the applicant has a grid connection offer to Creyke Beck Substation with Paragraph 2.10.25 of NPS EN-3 recognising, "applicants may choose a site based on nearby available grid export capacity" to "maximise existing grid infrastructure, minimise disruption to existing local community infrastructure or biodiversity and reduce overall costs".

7.210 In terms of the Solar PV Site, while it is acknowledged that there are other sites at a lower risk of flooding within 12km of the substation, these include Grade 1 and 2 agricultural land which is considered the Best and Most Versatile. Paragraph 5.11.12 of NPS EN-1 states that applicants should seek to minimise impacts on the Best and Most Versatile (BMV) agricultural land (defined as land in grades 1, 2 and 3a of the ALC) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).

7.211 Interconnecting Cable Corridors would accommodate the cabling to connect the solar PV modules together and to transmit electricity from the solar PV modules and BESS to one of the two on-site 132 kV substations. It is not possible to accommodate these connecting cable corridors in a lower risk of flooding having regard to the site being within flood zones 2 and 3 with the cables laid underground.

7.212 Some areas of the land required to facilitate construction and operational access are within Flood Zones 2 and 3. It is not however possible to locate these in areas at a lower risk of flooding due to the need for their location in relation to the public highway.

7.213 The Grid Connection Corridor is located within Flood Zones 2 and 3 (for fluvial and tidal sources). Taking into consideration operational and engineering requirements including the need to connect to the National Grid Creyke Beck Substation; planning and environmental constraints which included the flood risk context; and other land use and land ownership constraints, a corridor outside Flood Zones 2 and 3 would not be possible and therefore no reasonable alternatives are available in Flood Zone 1.

Summary

7.214 With essential infrastructure permitted, subject to an exception test, within flood zones 3a and 3b, the applicant has afforded varying levels of weight to the site selection and thus sequential test. The site area chosen has fewer environmental and heritage designations as set out in Figure 5 of the Planning Statement. As a result, the Council consider the Sequential Test has been met with respect to the solar PV site, Interconnecting Cable Corridors, Site Accesses, and Grid Connection Corridor.

Exception Test

7.215 In applying the Exception Test, the need for the scheme is set out in the Statement of Need. Through the generation of low carbon electricity, the Scheme would contribute to the urgent need to decarbonise electricity generation in the UK as required by national energy policy and will contribute to the UK's obligations for net zero under the Climate Change Act 2008 (2050 Target Amendment) Order 2019. It would also meet the need identified in current planning policy on renewable energy. Therefore, the Scheme would have both a national, and global significance, through its decarbonisation of the UK's electricity generation. The Scheme would include habitat creation and enhancement and provide biodiversity net gain. Therefore, taking the above into account, it is considered that the Scheme would provide wider sustainability benefits to the community that outweigh its impacts on flood risk in accordance with NPS EN-1 and the NPPF.

7.216 Secondly, the flood risk assessment (PDA-021) includes a section on Flood Risk Mitigation Measures in Section 6. This sets out that the hydraulic modelling work demonstrates that 0.3m is sufficient freeboard above the design event level to account for uncertainty and therefore, panels would be a minimum of 1.1m from the ground with inverter/combiner boxes also at this height from the ground. Any other containerised infrastructure would be 0.8m above ground level. The two substations have been located outside the combined breach flood extents and the Credible Maximum Scenario and would be raised at least 0.3m above the worst-case flood level of the combined breach outputs and the H++ scenario with all water-sensitive equipment located outside of the modelled 1 in 20 year event (i.e. outside Flood Zone 3b).

7.217 The Planning Statement states that the scheme would provide wider sustainability benefits which outweigh flood risk. These include the scheme being a significant renewable energy scheme to be able to meet the legal binding commitment to Net Zero and make energy more affordable and reliable for all as well as local community benefits including biodiversity net gain, environmental enhancements and improved connectivity across the Order Limits via a number of new permissive paths.

7.218 The Environment Agency have been involved during the consultation phase and should provide comments with respect to the adequacy of the submitted FRA and whether any requirements are necessary to tie the proposals to the details within the FRA including the mitigation measures.

7.219 Subject to the EA agreeing to the flood risk mitigation measures, it is considered that the Exception Test has been met.

Drainage

7.220 The Council's Land Drainage Team (LDT) and Lead Local Flood Authority (LLFA) have reviewed the submitted documentation. The majority of the areas where the PV modules are located are within the Beverley and North Holderness Internal Drainage Board area and the developer would need to consult them regarding any consenting works required and agree discharge rates for and proposed surface water runoff (limited to greenfield runoff of 1.4l/s/ha). If discharging to a main river, the Environment Agency would be required to consent and approve any proposed discharge.

7.221 Regarding the cable route, this has areas within both the Beverley and North Holderness Internal Drainage Board and East Riding of Yorkshire Council. It is advised by the drainage teams that "Both should be consulted when proposing watercourse crossing methodology, horizontal directional drilling should be considered as the preferred option. All sites should be surveyed for existing land drainage systems and ensure that any works would not impact on existing drainage systems. Access should also be considered for future maintenance and inspections of existing watercourses. Any hardstanding or impermeable areas should be positively drained with full details to be submitted and approved by the relevant teams."

7.222 Final comments were also received with the drainage teams making the following comments:

"Having read the Surface Water Management proposals in the FRA, these are acceptable in principle. However, will still need to see a full detailed drainage strategy to confirm acceptance, I assume this will also be the case with the Internal Drainage Board. It is noted that there is an Indicative HDD crossing points plan, these would need to be confirmed prior to development and for any watercourse crossings the relevant Land Drainage Authority would need to be consulted and the appropriate consents obtained."

7.223 The draft DCO includes a requirement (no. 3(g)) relating to drainage and the proposed wording is appropriate.

Conclusion

7.224 ERYC are satisfied with assessments undertaken and raise no concerns with the information submitted to date with regards to flood risk and drainage. A full detailed drainage strategy is however required to confirm acceptance and providing an acceptable drainage strategy is proposed, the development would have a neutral impact.

Impact on Living Conditions

7.225 Policy ENV1 of the ERLP SDU and paragraph 135 (f) of the NPPF seeks to ensure that development achieves good standard of amenity for all. In addition to this, policy ENV6 seeks to ensure that environmental hazards, including forms of pollution are managed. Paragraph 180 (e) of the NPPF also seeks to prevent new and existing development from contributing to and being put at unacceptable risk from air or noise pollution.

7.226 Policy EC5 of the ERLP SDU requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development (3i) on local amenity, including noise, air, water quality, traffic, vibration, dust and visual impact should be considered.

7.227 The Order limits are located in close proximity to the hamlets and villages of Long Riston, Meaux, Routh and Tickton with the cable corridor proposed to run close to Woodmansey. The nearest town is Beverley.

7.228 The closest residential property is Woodhouse, located approximately 50 metres from the Solar PV Site (Field D) with a number of properties within 250 metres of the development site. The village of Routh is located to the north, Long Riston is located to the east, Tickton to the north west, Beverley and Woodmansey to the west, Wawne to the south and Meaux is located centrally.

7.229 The solar PV site would span a large area of the open countryside and has the potential to cause negative impacts for local residents, businesses and communities in terms disruption during the construction and decommissioning phase. During the operational phase of the solar farm, whilst this would be over a 40-year period, it would have a limited impact on local amenity. Existing trees and hedgerows along field and property boundaries should be retained where possible and enhanced where necessary.

7.230 The grid connection corridor, interconnecting cable corridor, the site accesses, the maintenance hub aspects of the scheme would also result in negative impacts for residents, businesses and communities during the construction and decommissioning phases. There would be limited adverse impacts on local amenity during the operational phase of these elements of the scheme.

Glint and Glare

7.231 The proposal has the potential to result in glint and glare. The ES (APP-100) concludes that a moderate impact is predicted on one dwelling (receptor 110- Arnold Carr Farm) under baseline conditions due to the duration of effects and a lack of sufficient mitigating factors. However, proposed vegetation screening is expected to reduce the impact level to low impact, and further mitigation is not recommended. No significant impacts are predicted on surrounding other dwelling receptors, road safety, and aviation activity associated with Beverley Airfield, Hill Farm Airfield and Burton-Constable Airfield.

7.232 The scheme therefore accords with NPS EN-1 and NPS EN-3.

Noise and Vibration

7.233 The potential noise and vibration impact of the development is likely to be during the construction phase and relate to construction traffic movements (in an area of low background noise levels), operational noise arising from plant and equipment, Horizontal Directional Drilling (HDD) and noise generated during decommissioning. The operation of the solar farm is not expected to be noisy with measures such as inverters running at 80% fan speed during the day and 60% during the night, with battery containers having their chillers limited at 50% fan speed being used to control noise as set out in document APP-154.

7.234 The scheme comprises of three phases, these are the construction, operation (including maintenance and repair) and decommissioning. The construction phase of the development is anticipated to require 24 months and the solar farm will operate for a period of 40 years, before being decommissioned. Decommissioning is expected to take between 18 and 24 months as set out in document APP-155 .

Construction

7.235 An Outline Construction Environmental Management (APP-153) has been submitted and requirement 4 of the draft DCO requires the submission of a Detailed Construction Environmental Management Plan (CEMP). The Detailed CEMP is to be prepared in accordance with the Outline CEMP. The Outline CEMP confirms that the proposed core working hours are Monday-Friday 07.00 to 19.00 and Saturday 07.00-12.00(noon) and that there will be no Sunday or Bank Holiday. Employee vehicle movements will occur either side of these working hours.

7.236 No night-time working is proposed (i.e. between 19:00 to 07:00), however, where onsite works are to be conducted outside the core working hours, they will comply with the restrictions pursuant to the consenting.

7.237 To control noise temporary/mobile acoustic barriers are proposed as required around all HDD, launch and reception pits, substation work sites, compounds, and noisy equipment. The ECO confirms he is satisfied that the measures proposed in the Outline Construction Environmental Management Plan (ref APP-153) shall be sufficient to control the adverse impacts of noise and vibration on local residents.

7.238 Regarding light, mobile lighting towers for temporary construction lighting will be required in areas where natural lighting is unable to reach and during core working hours within winter months. Artificial lighting would be provided to maintain sufficient security and health and safety for the Site during construction, whilst adopting the mitigation principles to avoid excessive glare and minimise spill of light to nearby receptors (including ecology and residents) outside of the Order Limits as far as reasonably practicable.

Operation

7.239 An Outline Operational Environmental Management Plan (OEMP) (ref APP-154) has

been submitted and requirement 14 of the draft DCO requires the submission of an Operational Environmental Management Plan (CEMP) which is to be prepared in accordance with the Outline CEMP.

7.240 The Outline Operational Environmental Management Plan (OEMP) confirms that operational activities will be minimal and limited to maintenance activities and grazing such as cleaning of panels, visual inspection, delivery of spare parts, testing of equipment and vegetation management. Such activities will be undertaken within the same core hours as the construction working hours.

7.241 The control of noise is set out in paragraph 4.41 stating "To attenuate noise emissions during the operational (including maintenance) phase, reduced fan speeds will be employed where applicable whilst maintaining the required airflow for cooling requirements. Inverters will be run at 80% fan speed during the day and 60% during the night, while battery containers will have their chillers limited at 50% fan speed."

7.242 Nevertheless, the ECO has raised concerns thar a number of residential properties are identified where the noise impact/rating level of the development is predicted to be in excess of +10dB post-mitigation and the assessment method indicates this to be a potential 'significant adverse impact'. Whilst the rating levels are described as being below upper absolute thresholds (assumed here to refer to World Health Organisation guidance), it is recommended that additional or more robust mitigation measures are explored and installed to lower the noise impact on these properties as far as is reasonably practicable.

7.243 Regarding the control of light during the operation of the solar farm, the lighting of the two on-site substations will be in accordance with health and safety requirements with the use of lighting sensors and features designed to reduce light spill beyond the areas required to be lit. During operation (including maintenance) no part of the development will be continuously lit with infra-red security lighting utilised for operational and security purposes.

Decommissioning

7.244 An Outline Decommissioning Environmental Management Plan (DEMP) has been submitted which states that decommissioning will take 18-24 months with core working hours between 07:00 to 19:00 Mondays to Fridays and 07:00 to 12:00 (noon) on Saturdays. The draft DCO includes a requirement (no. 15(2)) relating to the submission of a DEMP for approval and the proposed wording is appropriate

Air Quality

7.245 During construction, there is potential for the scheme to generate dust and therefore impact local sensitive receptors. The Public Protection Officer has reviewed the submitted information (refs: APP-042 and APP-103) and agrees with the findings of the assessment and recommendations.

7.246 The adoption of good site practice will be implemented through measures to control dust as outlined within the IAQM guidance. As decommissioning operations are predicted to be like the construction phase, the same good practice measures are

predicted to apply. These mitigation measures are set out in the Outline CEMP (APP-153). Implementation of these measures will be secured by the detailed CEMP as a requirement of the DCO at requirement 4.

7.247 In this respect, and subject to appropriate mitigation measures the proposal would have a neutral local impact.

Land Contamination

7.248 The Council's Public Protection officers have reviewed the documents APP-046, APP-124, APP-125 and APP-126 and concurs with the recommendations enclosed within the report that a suitable ground investigation and risk assessment is required.

Visual Impact

7.249 Document APP-132 is a Residential Visual Amenity Assessment undertaken by the applicant on residential properties most likely to be visually impacted by the development. This concludes that a small number of properties (Carr House Farm, Woodhouse, Meaux Decoy Farm and Springdale Farm) would initially experience significant visual effects as a result of the proposed development, none of the properties assessed would experience such an overbearing or dominating visual effect that it would render any property an unpleasant or unattractive place to live.

7.250 It adds "As the proposed mitigation measures mature the identified visual effects would lessen to be not significant at Springdale Farm, though significant effects would remain at Year 10 of operation for residents at Carr House Farm, Woodhouse and Meaux Decoy Farm. In the case of each property it is the professional opinion of the authors that none of them reach the Residential Visual Amenity Threshold."

7.251 It is the opinion of ERYC that there will be a negative impact on the residential properties identified above which are sited close to the solar PV panels with these impacts continuing to year 10 of the development. However, the impacts would be limited to the access track at Woodhouse, south facing windows on the upper floor at Carr House Farm and the upper floor east facing windows at Meaux Decoy Farm from year 10 and likely to decrease as planting matures over the lifetime of the development. Additional planting could also be incorporated into the scheme to reduce the timeframe of impacts and to reduce the overall impact with the submission of a LEMP is a requirement of the DCO at requirement 9 which is required to be in line with the outline LEMP (ref PDA-18).

Conclusion

7.252 ERYC is of the view that, subject to approval of the detailed design and layout, and the above noted mitigation measures being implemented, together with the recommendations from the Environment Control Officer with respect to land contamination, air quality, operational noise, hours of operation and lighting, the development could be capable of having a neutral impact on living conditions. It is noted that there are significant impacts on several properties, however, these impacts are limited as outlined above and would decrease throughout the lifetime of

the development and potentially through additional planting.

Heritage Assets

7.253 Policy ENV3 of the ERLP SDU seeks to ensure that the significance, views, setting, character, appearance, and context of heritage assets are conserved. The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. For the purposes of heritage policy, significance is the value of a heritage asset to this and future generations because of its heritage interest. This includes not only its physical presence, but also its setting, which is defined as the surroundings in which a heritage asset is experienced.

7.254 Policy EC5 of the ERLP SDU requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development (3iii) on the historic environment, including individual and groups of heritage assets above and below ground should be considered.

7.255 There are no known designated heritage assets within the Order Limits.

7.256 The following heritage assets are located within 5 km of the Order Limits.

- 35 Scheduled Monuments. Three of the Scheduled Monuments (Hayholme moated site (NHLE 1008043), Baynard Castle (NHLE 1019823) and Haltemprice Augustinian Priory (NHLE 1019825)) are on the Heritage at Risk Register;

- Two Grade II Registered Parks and Gardens. One of the Registered Parks and Gardens (Thwaite Hall, NHLE 1000137) is on the Heritage at Risk Register;

- 14 Grade I Listed Buildings;

- 51 Grade II* Listed Buildings;

- 573 Grade II Listed Buildings; and

- 26 Conservation Areas. One of the Conservation Areas (Beverley Road, Hull) is on the Heritage at Risk Register

7.257 The following assets border or are located in close proximity to the Order Limits:

- Scheduled Monument NHLE 1007843 (Site of Meaux Cistercian Abbey), which borders the Order Limits to the north of Land Area F;

- Scheduled Monument NHLE 1015305 (Meaux Duck Decoy, 420 m South East of Meaux Decoy Farm), which lies between Fields E6, E7 and E9;

- Scheduled Monument NHLE 1008039 (Medieval Moated Tile Kiln 250 m North East of North Grange Farm), to the east of Land Area D;

- Grade II Listed Building NHLE 1103426 (Meaux Abbey Farm), which lies c.125

m to the east of Field D17; and

- Grade II Listed Building NHLE 1346995 (Wawne Grange), which lies between Fields F9/F10 and F15.

7.258 There are no Registered Battlefields or World Heritage Sites within 5 km of the Order Limits.

Listed Buildings and Conservation Area impacts

7.259 The landscape of the East Riding of Yorkshire is relatively undeveloped, with large areas of open landscape separating historic settlements and built form. This provides scope for the creation of the proposed development in a manner which limits its impact on the historic built environment.

7.260 The scope of the assessment and the study area proposed were agreed in Jan/Feb 2024. It was also agreed that the decommissioning effects of the proposals could be scoped out of the assessment, as it was accepted that these would be of equal or lesser impact than the impact of the construction and operation of the facility.

7.261 Discussions covered the proposed format and methodology for the heritage assessment and this was generally agreed and has been followed by the applicant's heritage specialist. This has resulted in an assessment that is robust and appropriate- although there is a concern in relation to the matrixes for assessment set out in tables 9-4, 9-5 and 9-6 of Chapter 9: Cultural Heritage of the ES (APP-045). These use the methodology as set out within the Design Manual for Roads and Bridges but ERYC has concerns that this undervalues grade II listed buildings, and it can occasionally be a blunt tool for assessment. This is reflected in paragraph 9.5.6 of Chapter 9: Cultural Heritage of the ES (APP-045), which writes about 'the grade II listed buildings of medium (regional) importance'. The assets are designated on the National Heritage List for England, and therefore inherently of national importance and not just regional importance. However, overall the applicant's assessment, when considered across the full suite of supporting documents submitted, is acceptable- particularly given that the supporting Detailed Settings Impact Assessment demonstrates that each asset has been considered in detail and their significance has been understood.

7.262 This scope has informed the applicant's assessment of the impact of the development, set out within Chapter 9: Cultural Heritage of the ES (APP-045). This identifies five assets on which the development has the potential to have an effect, with other assets being at a distance that they would not be affected. These are:

7.263 Site of the Meaux Cistercian Abbey- This is designated as a Scheduled Monument and covers the site of the monastic complex of twelfth and thirteenth century construction. The complex was considerable in scale, providing evidence of the wealth of the monastic order, the sophistication of ecclesiastical architecture and the social status of the church. Its abandonment post-Dissolution, coupled with the almost complete removal of the building stone that followed, means that its archaeology remains largely unencumbered by later development and hugely legible. It is therefore of exceptional significance, providing substantial evidence of the use,

nature and function of the site, and therefore also wider evidence of the nation's ecclesiastical heritage. The abbey would have historically had considerable functional, political, and social interaction with its wider landscape, a landscape that now also preserves the wider isolated setting in which the Scheduled Monument is experienced.

7.264 The wider setting of the asset makes an important contribution to its significance, which also considerably derives from the surviving above and below ground remains of the monastic complex. However, how this wider setting is experienced from the asset varies, as from several viewpoints the vegetation on the site, and hedgerow screening just beyond the site, creates a sense of enclosure. The supporting Detailed Settings Impact Assessment (APP-123) acknowledges that there would be notable impact during the construction phase, particularly audial effects of the increased volume and size of the traffic. ERYC agree with this assessment, although would dispute the supposition in paragraph 4.126 that the increase in lorry traffic 'may better index the auditory setting of the asset during the medieval period'. ERYC would also suggest that the intensification of the use of the roads and the site would also have a negative effect on the positive contribution made by the historically and currently isolated character of its wider landscape. This would also likely have some impact during the operational phase of the development, in the isolated areas where there is intervisibility between the site and the Scheduled Monument. However, it is appreciated that the increased landscape buffer at the northern edge of area F and the existing hedgerows, will considerably minimise this impact.

7.265 It is therefore not fully agreed with the conclusions drawn in Chapter 9: Cultural Heritage of the ES (APP-045), that there would be no change, no effect, and no impact on significance, but we would place this as being a low level of change, a low effect and a low, less than substantial, impact on its significance.

7.266 Medieval moated tile kiln 250m north-east of North Grange Farm - This site is also designated as a Scheduled Monument and is a relatively rare survival of this typology. It operated in the thirteenth century, and it had an important historic interrelationship with the nearby Meaux Abbey. It also preserves important evidence of medieval industrial manufacturing. Its setting makes a limited contribution to its wider significance, although it does partly help to clarify the important interrelationship between the site and the adjacent abbey complex.

7.267 There are therefore potential small impacts during the construction phase, although these would have a very limited potential effect on how the asset is understood and experienced, and they seem unlikely to diminish its significance. Any effects are concluded to be reversible and to pre-date the operational phase of the development. ERYC would therefore agree with the conclusions drawn by the applicant's heritage expert in Chapter 9: Cultural Heritage of the ES (APP-045) and the Detailed Settings Impact Assessment at Volume 4 Appendix 9.4.

7.268 Meaux Duck Decoy - This is a post-medieval monument, designed as a means by which to entrap ducks to allow for them to be killed for their feathers and for food. These are an important element in understanding the economic and social history of the area, as well as of our understanding of hunting and farming methods in the

period. It is a comparatively rare survival, as changing land uses and modern drainage methods have destroyed many similar decoys. Accordingly, it is designated as a Scheduled Monument.

7.269 The setting of the asset is now currently relatively contained by the surrounding vegetation, which is comparatively mature and overgrown. This curtails the environment in which it is experienced. There may be some relationship between the open setting of the asset and its function, insomuch as it provides a logical benefit to the asset's function to have it located away from more built-up areas and for it be clearly visible from the air. However, it is not considered that the wider setting of the asset now makes a strong positive contribution to the significance of the asset. As such, it is not considered that the development would result in harm to the significance of the asset. ERYC therefore agree with the conclusions set out in Table 9-8 of ES Chapter 9 (APP-045).

7.270 Meaux Abbey Farm - A handsome red brick building of late eighteenth century construction. The principal elevation is elegantly and symmetrically proportioned, with attractive tripartite sash windows. It therefore demonstrates notable architectural interest, as well as providing important evidence for the evolution of the area and the surrounding land use. It is listed at grade II.

7.271 The setting of the asset is defined by both its relationship with its associated farm buildings, and more widely by its relationship with the road and the wider land network. The former illustrates its historic use, and it provides important evidence of how the building historically functioned. The wider landscape also contributes to this evidential value, as well as making an important contribution to how its experienced, by preserving the open and non-intensively populated landscape.

7.272 The proposed solar farm would therefore negatively alter this sense of isolation and create a more enclosed and intensively developed landscape. In doing so it would affect the contribution that its wider setting makes to its significance, something that will be supplemented by the increase in the intensity of traffic movement during the construction phase. It would, however, not affect other elements that contribute to the significance of the building, including having limited potential physical effects.

7.273 The level of harm caused would therefore be less than substantial, falling at the low to mid-point of the spectrum of impact covered by paragraph 215 of the NPPF. ERYC would therefore conclude that, while we do not fundamentally disagree with the conclusions drawn by the applicant's heritage advisor in table 9-8 of the ES Chapter on Cultural Heritage, we would place the level of impact as being marginally higher.

7.274 Wawne Grange - The asset is a house of mid to late eighteenth century construction, built in red brick with a pantile roof. It is a handsome example of vernacular architecture, and considerable aesthetic and architectural value. It also provides important evidence for the history of the area, and of the evolution of local vernacular architecture. It is listed at grade II.

7.275 The immediate setting of the asset is defined by its associated buildings and its immediate hedged landscape boundary. These retain an understanding of the asset's historic use and position within the heart of a wider complex of buildings. The wider setting of the asset is open and agricultural. This contributes positively to how the asset is experienced, both in preserving the sense of isolation that is appreciable on historic mapping, and by preserving its association with the wider landscape.

7.276 The proposed development would create a sense of enclosure around the asset and would considerably alter the visual character of the wider landscape. This impact would be greater during the construction phase, due to the intensification of activity and traffic within this landscape. This would affect how the asset is understood and experienced in a negative manner, to the detriment of its significance. We do, however agree that these effects would be limited to one element that contributes to the significance of the asset, and that they would be limited to the lifespan of the solar facility.

7.277 The level of harm caused will therefore be less than substantial, falling at the low to mid-point of the spectrum of impact covered by paragraph 215 of the NPPF. ERYC therefore also generally agree with the conclusions drawn by the applicant's heritage specialist in table 9-8 of the ES on Cultural Heritage, although we would place the level of impact as being marginally higher.

7.278 It is noted, however that one further asset-Abbey Cottage- was scoped out of the assessment included within Chapter 9: Cultural Heritage of the ES (APP-045). This was agreed to be included within the discussions between the applicant's heritage expert and the ERYC Conservation team. This is a striking rubblestone building with origins in the thirteenth century, but with later considerable alterations, including the insertion of a large brick stack, of likely sixteenth century date. The building is currently disused and in a poor state of repair, but it is of considerable historic interest as the last surviving element of the Meaux Abbey complex. This comparatively high status is evident in the quality of materials used in its construction, in the attractive external decorative detailing and in the chamfered bressummers internally. It is listed at grade II.

7.279 Its setting has the potential to make an important contribution to the significance of the listed building. This is because its immediate setting has a considerable impact on how the building is experienced, as well as reinforcing its historic association with the rest of the Meaux Abbey complex. Its wider setting would have the potential to reinforce the building's later association with the wider landscape, providing evidence of its later use and providing the open and undeveloped setting in which it is experienced.

7.280 It is however noted that the current screening vegetation encircles the asset on all sides, curtailing longer views towards the asset, and likely curtailing the views and experienced from the asset to its wider context. There may, however, still be some minor audial and experiential affects caused by the development, particularly during construction. ERYC would agree, however that any impact is unlikely to diminish the significance of the listed building.

7.281 However, it is noted that historic mapping between the mid-nineteenth and mid-twentieth century suggests that this was not historically how its setting was experienced, and that the current vegetation has diminished the contribution made by its setting. The removal of this vegetation and the reintegration of the building into its wider setting would therefore provide an opportunity for enhancement. It is therefore suggested that some consideration of this asset in the mitigation strategy for this development would be beneficial, to ensure that any potential enhancement resulting from the removal of vegetation could be maximised.

Archaeology

7.282 The site is located in a landscape containing an abundance of known archaeological remains dating from the prehistoric period onwards including several Scheduled Monuments. A desk-based assessment and geophysical survey has been undertaken and the applicants are discussing the next stage of evaluation work with ERYC. Chapter 9: Cultural Heritage of the ES (App-045) confirms that a programme of trial trenching has been undertaken on areas of the development site that are likely to have the greatest disturbance on archaeological remains (on-site substations, hybrid packs, switchgears, BESS, construction compound areas and internal roads). A report on this work can be seen in Volume 4 Appendix 9.3: Archaeological Trial Trenching Report (APP-122). The trial trenching recorded archaeological remains consisting of six ditches, ten pits and a post-hole. The features were spread across the areas examined with no clear foci of activity. The only datable features were two late Iron Age to Romano-British pits in the northern area and a large pit in the southern area. The report concludes that the evaluation works undertaken so far on the site indicate that there is Iron Age to Romano-British activity in this area, but that the precise nature, extent and significance of this is currently unclear.

7.283 As noted above, the programme of trial trenching undertaken to date has been on the areas of the development that are likely to cause the largest impact on the archaeological resource. Therefore, the remaining work to be undertaken in the evaluation stage is for the second phase of trial trenching to take place on the solar panel arrays and any other part of the site not so far subjected to these works. When the evaluation stage has been completed, ERYC will then be in a position to adequately assess the impact that the development could have on the archaeological resource across the entire site. This would then enable discussions to be held on the most suitable mitigation methodologies to implement to ensure preservation of the archaeological remains is achieved. ERYC would expect to see a robust archaeological/historical enhancement and public engagement strategy included and note that this has been considered with the initial discussions on this included in the Environmental Statement.

Conclusion

7.284 ERYC generally agree with the assessment of the impact of the development as set out in Chapter 9: Cultural Heritage of the ES (APP-045) and with the scope of the assets that would be affected. However, our assessment of the impact of the development on the significance of the site of Meaux Cistercian Abbey, Meaux Abbey Farm and Wawne Grange concluded a marginally higher level of impact than that concluded in the Chapter 9: Cultural Heritage of the ES (APP-045) albeit the discrepancy was relatively minor in scope. ERYC also consider that further

consideration of Abbey Cottage would be beneficial to ensure that any potential enhancement to this asset could be maximised.

7.285 The applicants are engaging with ERYC over archaeological evaluations and further assessment will be possible when this evaluation is completed. At that stage suitable mitigation could be established. This should include a robust archaeological/historical enhancement and public engagement strategy.

Minerals Safeguarding

7.286 Policy EC6 of the ERLP SDU seeks to protect mineral resources. Minerals Safeguarding Areas are identified on the Policies Map for sand and gravel, crushed rock, limestone, industrial chalk, clay, and silica sand.

7.287 East Riding of Yorkshire and Kingston upon Hull Joint Minerals Plan (2016-2033) (November 2019)

7.288 The Planning Statement (APP-147) identifies there are historical mineral extraction sites and Mineral Safeguarding Areas (MSAs) both within the Order Limits and within 250 m of the Order Limits. Land Areas C and F fall outside MSA's. Areas D and E include two MSA's within their boundaries, and the cable corridor route crosses a larger MSA between Cottingham and Beverley. The northern part of Area B and all of A falls within an Area of Search for sand and gravel but outside the Preferred Area of Search. A Briefing Note for the site (Identified Area Site Brief – SG-F) is appended to the Joint Minerals Plan. Allocation SG-F covers 1,604 sqm of land around Leven and Brandesburton. Active quarries within it are Little Catwick Quarry and Brandesburton Quarry. The Preferred Area of Search identifies land where mineral workings would be expected to work progressively. The Land Area falls outside of that search area within the southern portion of the MSA. In terms of the existing quarries the most recent permissions for Little Catwick Quarry indicate that workings are progressing northwards.

7.289 Mineral Safeguarding Areas are identified in the Plan to draw attention to the existence of the underlying mineral when proposals for surface development are being planned. This allows the existence of deposits of local or national importance to be adequately and effectively considered in land use planning decisions. One of the aims is to ensure that development that would sterilise the mineral resource (i.e.. prevent its extraction in the future) are carefully assessed. An EA Minerals Safeguarding Assessment is provided as Appendix 4 to the Planning Statement (APP-147). This assessment sets out that there is the potential for only a very small percentage of minerals within the Order Limits to be permanently sterilised due to the possibility of the project substation west remaining in situ. The remainder of the site, post-decommissioning, could then be worked for minerals. This reflects the areas of MSA's identified in the Mineral Plan. Notwithstanding the availability of the land for potential minerals extraction in the future the land would be unavailable for the lifetime of the development, and this should be balanced against national policies related to the need to encourage renewable energy having regard to the impact on potential mineral supplies. In this case the extent of MSA's affected would be small and unlikely to significantly impact on supplies within the ERYC area. Further information on existing permissions and allocations can be collated if needed to support the Examination process.

7.290 Whilst ERYC raise no concern to the impact of the development alone, there are some concerns with regards to the in combination effects of development and related infrastructure, from NSIPs in particular on the preferred areas/areas of search within the region. A number of these are chipping away at these designated areas and are

likely to reduce the commercial viability of them. It is accepted that the areas of search/preferred areas are reasonably broad and further investigations would be required to determine the true commercial viability of working the areas identified. This is however likely to be something that only an operator is likely to know in which such information would influence the amount of weight given in the planning balance.

CONCLUSION

7.291 Energy development in the countryside is supported subject to assessment of specific local impacts outlined in policy EC5. These reflect national advice contained in NPS EN1 and EN3, paragraphs 161 and 168 of the NPPF and paragraph 7 of the PPG on Renewable and Low Carbon Energy which recognises that there is a need to support renewable energy production but that the wider benefits need to be weighed against residual harm. The recent Ministerial Statement now places greater emphasis on protection of the most valuable agricultural land. National and Local Planning Policy offers support in principle to energy development and this report has set out the Local Impacts.

7.292 249ha has been identified as Best and Most Versatile Agricultural Land (BMVAL) which equates to approximately 0.1ha of BMVAL land within the ERYC area. The development would not result in significant areas of land that would be permanently sealed and during the lifespan of the development the soils beneath the solar panels would be preserved through ecological landscaping. Permanent development such as substations and access tracks are not located on BMV land. Given the temporary nature of the development and the ecological mitigation it is considered the impact of the solar panels would be neutral to slight adverse.

7.293 The submitted LVIA is considered to provide an accurate assessment of the visual and landscape impacts of the development and the proposed design generally provides good levels of mitigation in terms of the use of both existing and proposed landscape features. Significant impacts have been identified on several receptors and it is therefore recommended that additional landscaping and mitigation are required to off-set these impacts. Without such mitigation it is the view of ERYC that the impacts on landscape and visual amenity would be negative.

7.294 The submitted Highway and Transport related information is considered to provide an appropriate assessment of the impact on the local highway network both during construction/decommissioning and operation. The Council therefore considers that subject to the necessary mitigation measures in the outline Construction Traffic Management Plan (CTMP) being secured and agreed through a full CTMP, that impact on the local highway network would be neutral, with the exception of use of Park Lane Cottingham to access the Creyke Beck substation works, which is considered to have a significant adverse impact on highway safety.

7.295 No permanent closures or diversions are proposed to the Public Right of Ways within or adjacent to the development order limits, just temporary closures further to 12.6km of new permissive paths being provided. The development would lead to a significant effect to the views from some of the PRoWs in the area, particularly in the early stages of establishment of the proposed screen planting. Overall, this is not considered to adversely impact upon the use, enjoyment and experience of the PROWs and as such a neutral impact would be had. ERYC do however consider that additional hedgerow screening should be provided along the southern edge of field F13 to address the effect on Swine PROW.

7.296 The application site is located within flood zone 2 and 3.A Flood Risk Assessment accompanied the application along with a sequential and exception test. The Council

are satisfied with the assessment made and subject to the EA being satisfied with the FRA and the mitigation proposed further to suitable full drainage details being submitted, the development would have a neutral impact with regard to flood risk and drainage.

7.298 The proposed development is in proximity to a number of residential receptors. The development would result in significant impacts upon several properties, primarily as a result of the visual impact and noise however these impacts would decrease throughout the lifetime of the development as the planting becomes established. Additional mitigation planting and further noise mitigation measures should be explored which could further reduce the timeframe of impacts and reduce the overall impact to result in a neutral impact.

7.299 With regard to trees ERYC would seek to avoid loss of Category B trees and avoid impacts on veteran and Category A trees. There is a robust planting scheme and at post development an increase in woodland cover and hedgerow diversity and length would be achieved. In relation to protected sites, there are outstanding issues in relation to mitigation measures for displacement of Humber Estuary bird species and impacts on Figham Pastures Local Wildlife Site. It is expected with improved embedded mitigation all impacts to protected species can be appropriately mitigated. Long term improvements in biodiversity would be achieved. It is therefore expected that subject to the above being addressed, the long term impacts in relation to trees and ecology would be positive with short term impacts being reduced to neutral.

7.300 The assessments undertaken on heritage assets are considered acceptable however ERYC's assessment of the impact of the development on the significance of the site of Meaux Cistercian Abbey, Meaux Abbey Farm and Wawne Grange concluded a marginally higher level of impact albeit the discrepancy was relatively minor in scope and the impact on all assets remained less than substantial. ERYC also consider that further consideration of Abbey Cottage would be beneficial to ensure that any potential enhancement to this asset could be maximised. With regards to Archaeology, further trial trenching is required and once complete, ERYC will then be in a position to adequately assess the impact the development could have on the archaeological resource across the site, ensuring the most suitable mitigation methodologies are implemented to ensure preservation of any archaeological remains.

7.301 There are historical mineral extraction sites and Mineral Safeguarding Areas within and in the immediate vicinity of the order limits. A Minerals Safeguarding Assessment accompanies the application in which ERYC are satisfied with the assessment undertaken, concluding that the impacts of the development are temporary and reversible, with the exception of where a substation would be sited and as such would not adversely affect the viability of exploiting the underlying or adjacent deposit in the future. ERYC therefore conclude that the impact on Mineral Safeguarding Areas to be neutral.

7.302 East Riding of Yorkshire Council may wish to make further representations, as appropriate during the examination

9. RECOMMENDATION

9.1 It is recommended that the Committee agree:

i) The contents and recommendations within the Local Impact Report set out below; and
ii) That the Local Impact Report be submitted to the Planning Inspectorate for consideration in the Examination of the above scheme: and
iii) Delegated Authority be given to the Executive Director of Planning and Economic Regeneration in consultation with the Chair of Planning Committee to make any further alterations to the Local Impact Report before the report is submitted to the Planning Inspectorate for consideration.

10. NEXT STEPS

10.1 The Local Impact Report is required to be submitted to PINS by the 27th of August 2025. An Inspector appointed to assess the proposal will then consider the report and ask any further questions if necessary. Hearing sessions are scheduled to take place in October and Officers will attend issue specific hearing sessions to put forward the Council's case and provide more detail to explain the views set out in the Local Impact Report. The Inspectors Decision is expected by the end of the year.

Alan Menzies
Interim Chief Executive

Contact Officer
[redacted]