



Pearmtree Hill Solar Farm

Outline Rights of Way and Access Management Plan

Revision 3

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1 Introduction

1.1 Purpose of this document

- 1.1.1 Peartree Hill Solar Farm (hereafter referred to as the 'Proposed Development') comprises the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) electricity generating and storage facility with an export capacity of up to 320 megawatts (MW) and associated infrastructure, as described within **Environmental Statement (ES) Volume 1, Chapter 3: Proposed Development Description [EN010157/APP/6.1]** and **Schedule 1** of the **Draft Development Consent Order (DCO) [EN010157/APP/3.1]**.
- 1.1.2 The Proposed Development encompasses an area of approximately 893 hectares (ha) within East Riding of Yorkshire (the 'Site') as shown on the **Location and Land Area Plan [EN010157/APP/2.1]**.
- 1.1.3 The Proposed Development is located within the 'Order Limits', which constitute the maximum extent of land potentially required for the construction, operation (including maintenance) and decommissioning of the Proposed Development.
- 1.1.4 The Proposed Development consists of five areas of land (Land Areas B to F – there is no Land Area A), interconnecting underground cables between the Land Areas, a 132kV underground cable route to National Grid Creyke Beck Substation, and sections of highway land (hereafter referred to as the grid connection cable route). These are shown in **ES Volume 3, Figure 1.2: Land Areas and Cable Routes Plan with Field Numbering System [EN010157/APP/6.3]**.

1.2 Purpose and structure of this outline plan

- 1.2.1 The purpose of the Outline Rights of Way and Access Management Plan is to outline how public rights of way (PRoW) will be managed during the construction, operation (including maintenance) and decommissioning phases to enable them to be accessible in so far as reasonably practicable and used safely. This plan should be read in conjunction with the following plans:
 - **Streets, Rights of Way and Access Plans [EN010157/APP/2.3]**
 - **ES Volume 3, Figure 3.1: Indicative Operational Layout Plan [EN010157/APP/6.3]**

- **ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [EN010157/APP/6.3]**
- **ES Volume 3, Figure 14.3: Public Rights of Way and Long Distance Paths Within and Adjacent to the Proposed Development [EN010157/APP/6.3].**

1.2.2 This Outline Rights of Way and Access Management Plan has been prepared based on the information available at the application stage.

1.2.3 This Outline Rights of Way and Access Management Plan has been prepared in line with the National Policy Statement for Renewable Energy EN-3 (2023) (NPS EN3) (designated in January 2024) [Ref. 5] and East Riding Local Plan (2012 – 2029), (adopted April 2016) [Ref. 6].

1.2.4 NPS EN-3 states:

- Paragraph 2.10.41 – *“Public rights of way may need to be temporarily stopped to enable construction, however, applicants should keep, as far as is practicable and safe, all public rights of way that cross the Proposed Development Site open during construction and protect users where a public right of way borders or crosses the site”.*
- Paragraph 2.10.44 – *“Applicants should consider and maximise opportunities to facilitate enhancements to the public rights of way and the inclusion, through site layout and design of access, of new opportunities for the public to access and cross proposed solar development sites (whether via the adoption of new public rights of way or the creation of permissive paths), taking into account, where appropriate, the views of landowners. ”.*
- Paragraph 2.10.45 – *“Applicants should set out detail on how public rights of way would be managed to ensure they are safe to use is set out in an outline Public Rights of Way Management Plan”.*

1.2.5 The Local Plan states:

- Paragraph 5.58 – *“New development should seek to protect and support existing and disused public transport, cycling and footpath networks (including public rights of way and the National Cycle Network), as well as encouraging alternatives to the single occupancy use of the private car in line with requirements set out in Policy EC4”.*

1.2.6 Policy EC4 (Enhancing sustainable transport) of the Local Plan states:

“A. In order to increase overall accessibility, minimise congestion and improve safety, new development will be supported where it is accessible, or can be made accessible, by sustainable modes of transport and addresses its likely transport impact. Development proposals should:

- 1. Produce and agree a transport assessment and travel plan, where a significant transport impact is likely;*
- 2. Support and encourage sustainable travel options which may include public transport, electric and ultra low emission vehicles, car sharing, cycling and walking; particularly in the Major Haltemprice Settlements, Principal Towns, and Towns; and*
- 3. Bring forward other necessary transport infrastructure to accommodate expected movement to and from the development.*

B. Developments generating significant freight movement located along the East-West Multi-Modal Transport Corridor should capitalise on the opportunities for transferring and transporting freight by means other than road.

C. The number of parking spaces for all new development should reflect:

- 1. The level of public transport accessibility;*
- 2. The expected car usage on the site; and*
- 3. The most efficient use of space available and promotion of good design.”*

1.2.7 The **Draft DCO [EN010157/APP/3.1]** includes the powers necessary to temporarily close, alter, divert or restrict the use of PRow.

1.2.8 In accordance with the requirements in **Schedule 2** of the **Draft DCO [EN010157/APP/3.1]**, no part of the Proposed Development is to be commenced until a Rights of Way and Access Management Plan for any sections of public rights of way shown to be temporarily closed or restricted on the **Streets, Rights of Way and Access Plans [EN010157/APP/2.3]** for that part has been submitted to and approved by the local planning authority (East Riding of Yorkshire Council).

1.2.9 Any Rights of Way and Access Management Plan must be substantially in accordance with this Outline Rights of Way and Access Management Plan and implemented as approved.

1.3 Definition of a PRow

1.3.1 PRow are defined as one of the following categories:

- A **footpath**, being a highway over which the public have a right of way on foot only, not being a footway, with or without what are defined as usual accompaniments (e.g. dog, pushchair, invalid carriage) [Ref. 1]
- A **bridleway**, being a highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way of riding or leading a horse or cycle, with or without a right to drive animals of any description along the highway [Ref. 1]
- A **cycle track**, being a way constituting or comprised in a highway, being a way over which the public have the following, but no other, rights of way, that is to say, a right of way on pedal cycles (other than pedal cycles which are motor vehicles within the meaning of the Road Traffic Act 1988) with or without a right of way on foot [Ref. 1]
- A **byway open to all traffic (BOAT)**, being a highway over which the public have a right of way for vehicular and all other kinds of traffic, including all above and road-worthy vehicles, but which is used by the public mainly for the purpose of or which footpaths and bridleways are so used [Ref. 1]
- **restricted byway**, being a highway over which the public have restricted byway rights for using non-motorised vehicles (e.g. horse and carriage), with or without a right to drive animals of any description along the highway, but no other rights of way [Ref. 1]

1.3.2 In respect to a restricted byway, this is also defined as [Ref. 1]:

“(a) a right of way on foot.

(b) a right of way for riding or leading a horse or cycle; and

(c) a right of way for vehicles other than mechanically propelled vehicles”.

1.3.3 Non-motorised users also have a right to use highways which are also ‘classified’ roads under section 12 of the Highways Act 1980 [Ref. 3].

2 PRow within the order limits

2.1 Baseline conditions

- 2.1.1 The East Riding of Yorkshire PRow definitive map **[Ref. 4]** and Ordnance Survey 1:25,000 scale mapping has been utilised to inform this Outline Rights of Way and Access Management Plan. In addition, although not designated as PRow on the East Riding of Yorkshire PRow map, the Wilberforce Way long distance path and National Cycle Network Route 1 have been included.
- 2.1.2 **Table 2-1** lists the existing PRow within the Order Limits. A plan showing the PRow within the Site is provided in the **ES Volume 3, Figure 14.3: Public Rights of Way Within and Adjacent to the Proposed Development [EN010157/APP/6.3]**.

Table 2-1 PRowS within the Site

| Reference | Type | Description | Location in relation to the Site | Section of the Site where route intersects |
|-----------|-----------------|---|----------------------------------|--|
| BEVEF23 | Public Footpath | Commences at the eastern end of Waterside Road and follows the River Hull to the southeast for approx. 2km. | Partially within Order Limits | Grid connection cable route |
| LEVEF05 | Public Footpath | Commences from the A1035 at Monk Bridge and leads south along the eastern bank of Monk Dike for approx. 300m. | Within Order Limits | Land Area B |
| RISTF01 | Public Footpath | Commences at the western end of Woodhouse Lane and leads west across Monk Dike before continuing south for approx. 1km. | Partially within Order Limits | Land Area C |
| RISTF02 | Public Footpath | Commences at the southern end of LEVEF05 and continues south until the Meaux and | Partially within Order Limits | Land Areas B and C |

| Reference | Type | Description | Location in relation to the Site | Section of the Site where route intersects |
|-----------|------------------|--|----------------------------------|--|
| | | Benningholme Road Bridge on Kid Hill Lane. | | |
| SKIDB07 | Public Bridleway | Commences at Wanlass Farm and leads in a generally north westerly direction for approx. 600m. | Partially within Order Limits | Grid connection cable route |
| SKIDF10 | Public Footpath | Commences at SKIDF11 at the eastern access to Creyke Beck electricity sub-station and continues south for approx. 1km. | Partially within Order Limits | Grid connection cable route |
| SKIDF11 | Public Footpath | Commences at Wanlass Farm and leads in an easterly direction to the railway line. | Within Order Limits | Grid connection cable route |
| SKIDF12 | Public Footpath | Commences at SKIDF11 in the vicinity of Wanlass Farm and leads in a north easterly direction to the railway line. | Partially within Order Limits | Grid connection cable route |
| SKIDF17 | Public Footpath | Commences at the northern end of Park Lane, Cottingham and leads in a north-westerly direction to Burn Park Farm. | Partially within Order Limits | Grid connection cable route |
| TICKB05 | Public Bridleway | Commences at the southern end of Carr Lane and leads generally south for approx. 2.7km. | Partially within Order Limits | Land Area E |
| TICKF09 | Public Footpath | Commences at TICKF12 and leads in a generally south easterly direction for approx. 800m. | Partially within Order Limits | Grid connection cable route |
| TICKF12 | Public Footpath | Commences at the east of the Weel and leads in a south easterly direction along the eastern bank of | Partially within Order Limits | Grid connection cable route |

| Reference | Type | Description | Location in relation to the Site | Section of the Site where route intersects |
|-----------------|----------------------|--|----------------------------------|--|
| | | the River Hull for approx. 1.3km. | | |
| WAWNF01 | Public Footpath | Commences on Meaux Road approx. 150m west of Foxholme and leads in a north easterly direction to Meaux Road at East Field. | Partially within Order Limits | Land Area F |
| WOODF04 | Public Footpath | Commences at a point on Shepherd Lane east of Old Hall and leads in a generally south direction for approx. 1.6km. | Partially within Order Limits | Grid connection cable route |
| WOODF09 | Public Footpath | Commences at the Blacksmith's Corner in Woodmansey and leads in a south westerly direction for approx. 500m. | Partially within Order Limits | Grid connection cable route |
| WOODF12 | Public Footpath | Commences at a point on WOODF09 southwest of Paradise Farm and leads north westerly to the railway line. | Partially within Order Limits | Grid connection cable route |
| WOODF18 | Public Footpath | Commences on the western side of Hull Road opposite Tokenspire Business Park and leads in a generally north westerly direction to Minster Way. | Partially within Order Limits | Grid connection cable route |
| Wilberforce Way | Long Distance Path | Commences at The Deep in Hull and runs to The Minster in York for approx. 96km. | Partially within Order Limits | Grid connection cable route |
| NCN Route 1 | National Cycle Route | Commences at the White Cliffs of Dover and runs to Tain for approx. 1,200km | Partially within Order Limits | Grid connection cable route |

- 2.1.3 This Outline Rights of Way and Access Management Plan identifies the locations where management of PRow within the Order Limits is required and describes the mitigation measures which would be implemented to overcome any potential vehicle crossovers created by the Proposed Development.
- 2.1.4 There are no proposals to permanently stop up any existing PRow as part of the Proposed Development.

3 Construction

3.1 Introduction

- 3.1.1 The construction phase of the Proposed Development is anticipated to lead to a variety of effects on the PRow network, including increased construction traffic in close proximity to the PRow network. It may be necessary to temporarily close or restrict some links for short durations of time to enable construction works.
- 3.1.2 This section outlines the commitments made by the Applicant regarding management of PRow during the construction phase for the Proposed Development. The management of traffic on streets is dealt with in the separate **Outline Construction Traffic Management Plan (Outline CTMP) [EN010157/APP/7.7]**.
- 3.1.3 The Applicant is committed to minimising disruption to the public along the PRow network wherever possible whilst maintaining safety of the public throughout the construction of the Proposed Development.
- 3.1.4 This Outline Rights of Way and Access Management Plan has sought to achieve this through phasing/timing of works based on the current understanding and assumptions in advance of the appointment of a Principal Contractor.

3.2 Management of PRow during construction

- 3.2.1 Appropriate safety measures such as temporary fencing or use of a banks person will be put in place by the Principal Contractor to ensure safe corridors for users of PRow where it is proposed to keep it open through areas adjacent to the construction works. The proposed nature of these measures will be outlined in the Rights of Way and Access Management Plan prior to the commencement of construction of the relevant part of the Proposed Development.
- 3.2.2 The Applicant will seek to use restrictions where reasonably practicable ahead of temporary closures and East Riding of Yorkshire Council will be consulted in advance of any temporary closures taking place.
- 3.2.3 **Table 3-1** lists the PRow anticipated to be affected by the Proposed Development and the respective control measures proposed in each case. This is set out below. A plan showing the extents of the affected PRow proposed to be under control measures is included in **Streets, Rights of Way and Access Plans [EN010157/APP/2.3]**.

Table 3-1 Proposed PRow to be affected

| PRoW | Type | Approximate Length Affected | Proposed Control Measures |
|-------------|-----------------|------------------------------------|--|
| LEVEF05 | Public Footpath | 322m | PRoW to be physically separated from proposed construction routes and works areas using mesh, Heras, other similar types of fencing where necessary. |
| RISTF01 | Public Footpath | 1,303m | The public footpaths run through the Site and will be crossed by the proposed construction vehicle tracks. Crossing points will be marshalled by a banksperson and possibly gated. A default priority will be in place for construction vehicles to give way to PRow users. |
| RISTF02 | Public Footpath | 4,157m | |
| WAWNF01 | Public Footpath | 164m | Advanced warning signage will be provided to warn PRow users and construction drivers of crossings. Visibility will be maximised at crossings. No temporary diversions will be required. |
| RISTF01 | Public Footpath | 200m | The public footpaths and public bridleways run through the Site within the main Land Areas and where the grid connection cable route runs and/or crosses construction vehicle routes. Potential |
| BEVEF23 | Public Footpath | 416m | |

| PRoW | Type | Approximate Length Affected | Proposed Control Measures |
|------------------------------------|----------------------|-----------------------------|--|
| SKIDB07 | Public Bridleway | 7m | <p>closure required to accommodate construction of new crossing of water course (Change 7). Crossing points will be marshalled by banksperson and possibly gated.</p> <p>A default priority will be in place for construction drivers to give way to PRoW users.</p> <p>Advanced warning signage will be provided to warn PRoW users and construction drivers of crossings.</p> <p>Visibility will be maximised at crossings.</p> <p>There are no suitable routes for temporary diversions. Closures or restrictions will be required for short durations of time to enable construction works but restrictions will be used where reasonably practicable ahead of temporary closures.</p> |
| SKIDF10 | Public Footpath | 110m | |
| SKIDF11 | Public Footpath | 411m | |
| SKIDF12 | Public Footpath | 350m | |
| SKIDF17 | Public Footpath | 400m | |
| TICKB05 | Public Bridleway | 21m | |
| TICKF09 | Public Footpath | 423m | |
| TICKF12 | Public Footpath | 395m | |
| WOODF04 | Public Footpath | 408m | |
| WOODF09 | Public Footpath | 162m | |
| WOODF12 | Public Footpath | 157m | |
| WOODF18 | Public Footpath | 191m | |
| Wilberforce Way Long Distance Path | Long Distance Path | 300m | |
| National Cycle Network Route 1 | National Cycle Route | 1,250m | |

- 3.2.4 The duration of temporary PRoW closures would be limited to a maximum of three months, barring any unforeseen delays outside of the Applicant's control. In reality, any closures, in relation to PRoW that cross the grid connection cable route, would likely be in place for one or two days only given the nature and speed at which the connection cable work can be completed.

3.3 General PRoW management and safety

- 3.3.1 Detailed management measures for impacted PRow will be secured in a construction phasing detailed iteration of the Rights of Way and Access Management Plan prior to the commencement of the relevant part of the Proposed Development and approved by East Riding of Yorkshire Council.
- 3.3.2 The Applicant will take practical measures to minimise disruption to the PRow network and follow the hierarchy of actions:
- signage installed where PRow can remain open, users warned of the presence of construction vehicles or activities (local management). E.g. where a secure fence line has been erected and the PRow runs outside of this boundary, or where a PRow crosses a haul road;
 - use of banksperson to provide appropriate warning of restrictions and applying appropriate distancing tactics for PRow users; and
 - short, temporary closures where works on the Site might affect the safety of users (local closures).
- 3.3.3 Appropriate traffic management measures for any works affecting highways are addressed within the **Outline CTMP [EN010157/APP/7.7]**.

3.4 Inspections

- 3.4.1 The PRow which run through the Site will be inspected on a regular basis by the Principal Contractor during the relevant construction period, and any required remedial works will be undertaken to ensure that PRow remain in good condition during the construction period. This will include inspections of temporary fencing, signage and maintaining PRow surface condition to ensure it remains safe and accessible.

3.5 PRow protections, restrictions or temporary closures

- 3.5.1 The exact details of the forms of restriction will be developed by the appointed Principal Contractor and subject to further discussions with East Riding of Yorkshire PRow officer. Where anticipated, the measures to be imposed on existing PRow across the Order Limits are outlined above within **Table 3-1**. Details on a timetable of closure for PRow, which will be linked to the construction phasing works, will be provided within the Rights of Way and Access Management Plan, once a Principal Contractor has been appointed prior to construction commencing.

- 3.5.2 Appropriate safety measures such as temporary fencing or use of a banksperson will be put in place by the Principal Contractor to ensure safe corridors for users of PRoW where it is proposed to keep it open through areas adjacent to the construction works. The proposed nature of these measures will be outlined in the Rights of Way and Access Management Plan prior to the commencement of construction of the relevant part of the Proposed Development.
- 3.5.3 Any closure, alteration or restriction would be signed in advance on the affected PRoW to inform users in accordance with the relevant legislation.

3.6 Improvements to any crossing points

- 3.6.1 Detail of crossing points will be provided in the Rights of Way and Access Management Plan following the appointment of the Principal Contractor.
- 3.6.2 Local management would be principally used during the laying of cable routes, and where PRoW run between Solar PV development areas and a set back between the secure fence line and PRoW link can be established. Further detail will be established within the Rights of Way and Access Management Plan to be implemented by the appointed Principal Contractor.
- 3.6.3 Where it is considered safe to do so, PRoW near construction works or which adjoin roads that may be affected by works will remain open with appropriate signage in place at the earliest opportunity. This signage will warn of the presence of construction vehicles, and will warn drivers of the presence of walkers, cyclists or other non-motorised users. Where a PRoW crosses a construction haul road, a banksperson would be utilised to facilitate vehicles crossing the PRoW.
- 3.6.4 In this instance it would be disproportionate to temporarily close PRoW, especially as construction works would only be taking place across a short duration where consequential risk to the public is anticipated to be very low.

3.7 Signage and communications

- 3.7.1 Contact details will be provided on signage placed around the construction Site in order that the public has a direct route to report any concerns relating to PRoW management directly with the Site Manager. The location and details of these signs will be discussed and agreed with the relevant planning authority/PRoW Officers. Where applicable, signage will also provide information on details of works and any closure or restriction.

- 3.7.2 Where construction routes adjoin a PRow or where a PRow crosses a construction access/parcel, appropriate signage will be installed as necessary to ensure the safety of PRow, road network users and workers.
- 3.7.3 As part of the Rights of Way and Access Management Plan, a programme of PRow closures will be produced by the Principal Contractor. Appropriate advanced notification will be provided to all relevant stakeholders prior to commencement.
- 3.7.4 A Community Liaison Officer will be responsible for communications with the public during all stages of the Proposed Development.

4 Operation (including maintenance)

4.1 Operation programme

- 4.1.1 The operational life of the Proposed Development is expected to be 40 years.
- 4.1.2 Landscape and general Site management measures can be found within the **Outline Landscape and Ecology Management Plan (Outline LEMP) [EN010157/APP/7.5]** and the **Outline Operational Environmental Management Plan (Outline OEMP) [EN010157/APP/7.3]** respectively.

4.2 Management of PRow during operation

- 4.2.1 The Proposed Development design will incorporate a minimum offset distance of 10m from all PRow to provide space around each PRow. This is embedded mitigation which will be in situ throughout operation (including maintenance).
- 4.2.2 It is anticipated that internal access tracks will be retained for vehicular access during the operation (including maintenance) phase. Where these internal access tracks cross PRow, visibility will be retained to ensure that safe crossing can be achieved for PRow users.
- 4.2.3 During periods of maintenance such as renewal of apparatus such as solar panels, there may be vehicle deliveries to the Site it and maintenance staff. It may be necessary at these times to temporarily re-introduce some the management controls as described in Section 3. This is to ensure the safety of PRow users.
- 4.2.4 Following reinstatement of PRow located within the grid connection cable corridor, for a period of up to seven years, should any settlement be identified, this could be reported to the Agricultural Liaison Officer, Community Liaison Officer or East Riding of Yorkshire Council's Countryside Access Team by a member of the public or landowner. An inspection to identify if any repair is required would be arranged. Should any restoration works be required that are attributed to the Proposed Development, they would be agreed with East Riding of Yorkshire Council and the relevant landowner and undertaken by the Applicant.
- 4.2.5 Details of PRow management during the operation (including maintenance) phase will be included in the Rights of Way and Access Management Plan.

5 Decommissioning

5.1 Decommissioning programme

- 5.1.1 As previously outlined, the operational life of the Proposed Development is expected to be 40 years. After which, the Proposed Development will require decommissioning.
- 5.1.2 Decommissioning of the Proposed Development is expected to take between 18 and 24 months and may be undertaken in phases.

5.2 Management during decommissioning

- 5.2.1 Where reasonably practicable and safe the Applicant intends to maintain the PRow network during the decommissioning phase, with appropriate management and safety measures similar to those during the construction phase, outlined in Section 3 above.
- 5.2.2 Details of PRow management during the decommissioning phase will be included in the Decommissioning Environmental Management Plan as set out in the **Outline Decommissioning Environmental Management Plan (Outline DEMP) [EN010157/APP/7.4]**.

6 References

- **Ref. 1:** Section 329, Highways Act 1980. Available online: [Highways Act 1980 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1980/66/section/329).
- **Ref. 2:** Section 66, Wildlife and Countryside Act 1981. Available online: [https://www.legislation.gov.uk/ukpga/1981/69/section/66#:~:text=66%20Interpretation%20of%20Part%20III.&text=\(3\)The%20provisions%20of%20section,the%20purposes%20of%20this%20Part](https://www.legislation.gov.uk/ukpga/1981/69/section/66#:~:text=66%20Interpretation%20of%20Part%20III.&text=(3)The%20provisions%20of%20section,the%20purposes%20of%20this%20Part).
- **Ref. 3:** Section 12, Highways Act 1980. Available online: [Highways Act 1980 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1980/66/section/12).
- **Ref. 4:** Rights of Way, Definitive map. Available online: [Rights of way – Definitive map – East Riding of Yorkshire Council](#).
- **Ref. 5:** National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023). Available online: <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3>.
- **Ref. 6:** East Riding of Yorkshire Council (2016) East Riding Local Plan 2012 – 2029 (adopted April 2016). Available online: <https://www.eastriding.gov.uk/planning-permission-and-building-control/planning-policy-and-the-local-plan/east-riding-local-plan/>

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