



Peartree Hill Solar Farm

Response comments on Relevant Representations and additional submissions, response to Written Representations and response to Examining Authority Written Questions 1 responses

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1. Introduction

- 1.1.1 This report responds to Written Representations (WRs) and responses to the Examining Authority's (ExA's) first written questions (ExQ1) submitted at Deadline 1. It responds to the key topics raised in each Written Representation. A total of seven WRs were submitted to the Examination at Deadline 1.
- 1.1.2 The WRs received and responded to include:
- Tickton & Routh Parish Council (*Comments on relevant representations and additional submissions*) [REP1 – 087] [REP1 – 088]
 - Weel Solar Action Group (*Comments on relevant representations and additional submissions*) [REP1 – 089]
 - East Riding Against Solar Expansion [REP1 – 098]
 - National Gas Transmission plc [REP1 – 099]
 - Network Rail Infrastructure Limited [REP1 – 101]
 - Environment Agency [REP1 – 102]
 - National Grid Electricity Transmission plc [REP1 – 103]
- 1.1.3 All WR's listed above are responded to in Table 1 below.
- 1.1.4 All stakeholder responses to the ExA's first written questions are responded to within Table 2 below.

2. Response to Stakeholder Written Representations

1.1.5 Table 1 below provides the Applicants response to key topics raised in each Written Representation submitted at Deadline 1.

Table 1: Response to Stakeholder Responses to Key Topics Raised in Written Representations

Stakeholder	PINS ref.	Stakeholder Response Summary	Applicant Response
Tickton & Routh Parish Council	[REP1 – 087] [REP1 – 088]	The Parish Council reiterate the cumulative impact of current and proposed solar developments including the Molescroft proposal which is currently under public consultation. The detrimental impact of accumulation of industrial infrastructure will be enormous leading to a feeling of being surrounded by solar panels within the communities of Tickton, Routh and Weel as shown within the attached map.	<p>There is currently insufficient information available to undertake a cumulative effects assessment for Molescroft Solar Farm and the Proposed Development. However, the Applicant has committed to monitoring the progress of this development and should sufficient information come forward during the examination, the relevant documents will be updated to include a full assessment.</p> <p>Nevertheless, Molescroft Solar Farm has now been acknowledged in ES Volume 2, Chapter 15: Cumulative Effects [EN010157/APP/6.2 Revision 2] and ES Volume 3, Figure 15.1: Other Existing and or Approved Development [EN010157/APP/6.3 Revision 2] as potential inter-cumulative effect cannot be ruled out at this point. The updated versions of these documents have been updated and resubmitted at Deadline 2.</p> <p>Updates to ES Volume 4, Appendix 15.1: Long List of Other Existing and or Approved Development</p>

			<p>[EN010157/APP/6.4 Revision 2] have been captured in the Environmental Statement Addendum [EN010157/APP/8.2 Revision 3] submitted at Deadline 2.</p> <p>The Applicant is committed to updating ES Volume 4, Appendix 15.2: Detailed Cumulative Landscape and Visual Impact Assessment [APP-144] to include Molescroft Solar Farm in this assessment. The updated version of this document will be resubmitted at Deadline 3.</p>
Tickton & Routh Parish Council	<p>[REP1 – 087]</p> <p>[REP1 – 088]</p>	<p>The Parish Council feel it is essential to preserve agricultural land for food production both locally and nationally. Solar panels to this extent cannot be considered sustainable as they threaten food security. [...] Effectively allowing industrial scale solar may degrade the soil quality to such an extent that significant remedial action at the end the lifespan of the proposal would be required to return the land to usable condition for arable farming.</p>	<p>The Applicant acknowledges the importance of balancing energy needs with the protection of high-quality agricultural land. As such, the Applicant has undertaken assessments of the quality of land included as part of the Proposed Development. The findings of this assessment can be found in ES Volume 4, Appendix 10.2: Agricultural Land Classification Report [APP-127] which provides a summary of the Agricultural Land Classification for each parcel of land which is proposed to be used by the Proposed Development. This confirms that approximately 64.9% of the surveyed land falls under the category of lower-quality Subgrade 3b and 4 agricultural land, while 35.1% consists of Best and Most Versatile (BMV) agricultural land (ALC Grades 1-3a), with the majority of that land classed as 3a. The Applicant has selected the Site and designed the Proposed Development to minimise the use of BMV land.</p> <p>As part of this, the design sought to utilise existing tracks, crossings and gaps in the hedgerows for access tracks and cable routes wherever practicable.</p>

			<p>The Government's Food Security Report published in December 2021 is clear that 'the biggest medium to long term risk to the UK's food production comes from climate change and other environmental pressures'. The Independent National Food Strategy Review, which looks at the entire food chain from field to fork, concluded that solar farms do not in any way pose a risk to the UK's food security.</p> <p>Additionally, solar farms provide valuable income for farmers. The land around the Solar PV panels can still be used for grazing (the leases the Applicant has agreed for the Proposed Development grant the landowners the right to graze sheep over the lifetime of the Proposed Development) and so can support UK farmers to continue food production on other parts of their land. Further, where a solar farm is installed on land which has been intensively farmed, it enables the ground underneath to recover, while providing income for the farming business. Solar farms also help regenerate soil quality and so are helping to ensure the continued availability of high-quality agricultural acreage for future generations.</p>
Weel Solar Action Group	[REP1 – 089]	We think that alongside all the other developments the project is too big.	<p>The Applicant considers the Proposed Development to be proportional to the MW output and will enable the Applicant to make efficient use of the available grid connection to generate and deliver renewable energy to the National Grid and contribute to the decarbonisation of the UK's energy supply, in line with Net Zero commitments. The cumulative impacts of the Proposed Development and other relevant projects is</p>

			assessed at ES Volume 2, Chapter 15: Cumulative Effects [EN010157/APP/6.2 Revision 2] .
Weel Solar Action Group	[REP1 – 089]	...the screening needs to be improved.	As set out in ES Volume 2, Chapter 11: Landscape and Visual [APP-047] mitigation planting has been incorporated into the Proposed Development to reduce landscape and visual effects as far as practicable. Consideration has also been given to the risk of sterilising agricultural land through woodland planting, including Best and Most Versatile (BMV) areas, offsets from footpaths, waterways and ditches, and potential improvement to landscape character, biodiversity and ecological habitats. The Proposed Development includes mitigation planting wherever feasible, with large stretches of new hedgerow and hedgerow improvement as presented on ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [APP-058] . The visual assessment presented in ES Volume 2, Chapter 11: Landscape and Visual [APP-047] illustrates that the Proposed Development would only have a limited impact on visual receptors, including the village of Weel. Illustrative Cross-Section Visualisations [EN010157/APP/8.13] have been submitted at Deadline 2 which illustrate the likely effect of hedgerow screening at two locations: Meaux Lane and Monk Dike/Riston Footpath No. 2.
Weel Solar Action Group	[REP1 – 089]	That there needs to be better communication about noise levels from the project once it is installed.	Operational noise has been considered in ES Volume 2, Chapter 11: Noise and Vibration [APP-048] . This Chapter concludes that no significant noise effects would occur during the operation (including maintenance) phase of the Proposed Development.

			<p>A programme of community liaison will be carried out by the Applicant, including notification of construction works and details of the complaints process during construction and operation (including maintenance) of the Proposed Development., as included in the Outline Construction Environmental Management Plan [EN010157/APP/7.2 Revision 3]</p>
<p>East Riding Against Solar Expansion</p>	<p>[REP1 – 098]</p>	<p>On their website, RWE say they have conducted 'extensive consultation'. We have not seen evidence of this. We don't doubt that RWE have complied with the AoCR pro forma but we feel that for a project on this scale and significance, this has been wholly inadequate and should be deemed inadequate by the Examining Authority.</p>	<p>A Consultation Report [APP-026] was submitted as part of the DCO Application outlining how pre-application consultation and engagement was undertaken in line with the requirements of the Planning Act 2008. The report details all activity the Applicant undertook as part of its non-statutory, statutory and targeted consultation periods, the feedback received and how the Applicant had regard for that feedback. As part of the acceptance process the Planning Inspectorate reviewed the Consultation Report and agreed the Applicant met all its requirements in terms of consultation.</p> <p>When an application is submitted to the Planning Inspectorate, local authorities affected by a proposed NSIP are invited by the Planning Inspectorate under section 55(4)(b) of the Planning Act to confirm whether the consultation has been adequate in meeting the expectations set out in the Statement of Community Consultation. Adequacy of Consultation Representations were received by East Riding of Yorkshire Council [AoC-003], City of Hull Council [AoC-002], City of Doncaster Council [AoC-001] and North Lincolnshire Council [AoC-004]. All of whom agreed statutory consultation requirements had been met.</p>

<p>East Riding Against Solar Expansion</p>	<p>[REP1 – 098]</p>	<p>Objection 1: The Pear Tree Hill Project is not required for Clean Power 2030 or 2035</p> <ul style="list-style-type: none"> • The proposed scale and location of Pear Tree Hill Solar is not aligned with the immediate needs of local energy demand or national clean energy goals. • The current energy production needs, both at the national level and for East Yorkshire, do not justify the large-scale conversion of agricultural land for this solar farm, especially when alternatives such as rooftop solar, brown field sites, and smaller-scale community-driven projects are more appropriate and sustainable. • The UK Government's Clean Power 2030 and 2035 strategies emphasize diversified energy sources, with an increasing role for 	<p>Section 3 of the Planning Statement [APP-147] outlines the need for the Proposed Development, which includes consideration of The Clean Power 2030 Action Plan (December 2024) (Clean Power 2030), and the British Energy Security Strategy (April 2022) (Energy Security Strategy).</p> <p>At the time of submission of the Planning Statement [APP-147], 14 GW of Solar was already installed in the UK.</p> <p>The Energy Security Strategy states a goal of up to 70GW of British solar generation by 2035.</p> <p>Clean Power 2030 states an ambition of 45-47 GW solar power by 2030.</p> <p>Further, there is pressure to develop large scale solar projects at pace to meet these goals, such that commercial viability of rapid large-scale rooftop, brownfield and smaller-scale community-driven projects is not feasible nor adequate.</p> <p>The Proposed Development will strongly contribute towards increasing solar power generation within the UK towards achieving these generation goals and ambitions.</p>
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		decentralized, community-based energy systems. Pear Tree Hill, a highly industrialized solar farm, is inconsistent with this vision and undermines the potential for more localized, low- carbon energy solutions.	
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 2: Grid Reliability and Curtailment Risks</p> <ul style="list-style-type: none"> A significant concern is the reliability of the grid in accommodating the scale of energy generation from the Pear Tree Hill project. As the national grid faces increasing pressures from intermittent renewable energy sources, there are legitimate fears that the additional energy generated by this solar farm could lead to curtailment, where surplus energy is wasted because the grid cannot absorb it. 	<p>The operation of the National Transmission System is out with the Applicant's control but the Applicant notes that National Grid, by way of the Great Grid Upgrade, is undergoing significant modernisation with the intention to increase in capacity, partly in order to facilitate the connection of more sources of low carbon electricity generation.</p> <p>The Applicant has secured a connection to the National Grid that allows the export of 320 MW of electricity to the National Transmission System via a connection to the National Grid Creyke Beck Substation and intends to maximise that connection.</p>

		<ul style="list-style-type: none"> • This would undermine the project's contribution to sustainable energy generation and raise questions about its long-term viability. Increased energy curtailment could further stress the national grid and harm the efficiency of the UK's energy strategy. • We urge an in-depth assessment of the grid's capacity to integrate Pear Tree Hill's energy output without causing disruptions or unnecessary energy waste. 	
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 3: Inadequate Environmental Impact Assessment (EIA)</p> <ul style="list-style-type: none"> • The Preliminary Environmental Information Report (PEIR) submitted by the developers is insufficient and does not comply with the requirements of Reg. 12(2)(b) of the Infrastructure Planning 	<p>The Environmental Statement has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>Detailed responses as to how the Applicant has implemented the advice received in ES Volume 4, Appendix 5.2: Scoping Opinion [APP-098] are presented in ES Volume 4, Appendix 5.3: Scoping Opinion Response Matrix [APP-099].</p> <p>Cultural Heritage has been assessed in ES Volume 2, Chapter 9: Cultural Heritage [REP1-021].</p>

		<p>(Environmental Impact Assessment) Regulations 2017.</p> <ul style="list-style-type: none"> • Key aspects that the Planning Inspectorate (PINS) required to be scoped into the Environmental Statement (ES) are either missing or inadequately addressed. Specifically: <ul style="list-style-type: none"> • Cultural heritage, legacy and landscape impacts: The visual and cultural impact of such a large-scale industrial project on East Yorkshire's landscape has not been properly evaluated. • Local bio diversity: The impact on local flora and fauna has not been comprehensively assessed, particularly 	<p>Biodiversity has been assessed in ES Volume 2, Chapter 7: Biodiversity [REP1-019].</p> <p>Soil quality and agricultural productivity has been assessed in ES Volume 2, Chapter 10: Land, Soils and Groundwater [EN010157/APP/6.2 Revision 2].</p>
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		<p>given the ecological importance of the site for various species.</p> <ul style="list-style-type: none"> • Soil quality and agricultural productivity: There is a lack of consideration for the long-term impacts on soil quality and the ability of the land to support food production, which is a critical issue in the face of rising food security concerns. 	
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 4. Unsuitability of Local Road Infrastructure</p> <ul style="list-style-type: none"> • The existing country roads surrounding the proposed site are narrow, winding and feature poor visibility. • These roads are not designed to accommodate Heavy Goods Vehicles (HGVs), which would 	<p>As established within ES Volume 2, Chapter 14, Transport and Access [EN010157/APP/6.2 Revision 2] the Applicant has assessed the local road network and determined appropriate mitigation to ensure that the roads are suitable to accommodate HGV movements and that visibility can be achieved. The proposed mitigation includes a reduction in the speed limit on Meaux Lane to 30mph which reduces the stopping sight distance requirements, with the aim of improving road safety and reducing the impact on trees and hedgerows along the edge of the road which may otherwise require removal.</p>

		<p>be required in large numbers during the construction and maintenance of an industrial solar plant. Increased HGV traffic would significantly raise the risk of accidents, congestion, and long-term damage to local infrastructure.</p> <ul style="list-style-type: none"> • This presents a serious safety concern for local residents and road users 	<p>The DCO Application is supported by an Outline Construction Traffic Management Plan [EN010157/APP/7.7 Revision 3] which sets out the management measures for controlling construction traffic.</p> <p>The Applicant considers the proposed mitigation and management to be sufficient and appropriate to ensure the safety of all road users during the construction phase.</p>
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 5. Proximity to the Proposed Area of Outstanding Natural Beauty (AONB)</p> <ul style="list-style-type: none"> • The proposed solar development lies in close proximity to the proposed extension of the Yorkshire Wolds Area of Outstanding Natural Beauty (AONB). The scale of the development—spanning 4.2 square miles—would make it highly visible across a vast area. 	<p>This proposal was considered at Scoping, "<i>Natural England is currently undertaking a study known as the Yorkshire Wolds Designation Project within which a provisional candidate area to be designated as an AONB is being considered. There is not a set boundary for this project; the eastern extents of the area under consideration extend to approximately 7 km west of the Site, but at this distance the candidate area would not be affected by any development within the Site.</i>"</p> <p>In addition the currently defined Yorkshire Wolds Important Landscape Area (formerly AONB), which covers the landscape under consideration, was scoped out of the ES as identified in ES Volume 4, Appendix 5.1: Scoping Report [APP-097] - "<i>The Scoping Report proposes to scope out impacts to this receptor on the basis that it is over 5km away from the Proposed Development site. The Inspectorate agrees that</i></p>

		<ul style="list-style-type: none"> This visual intrusion would fundamentally undermine the principles and objectives of the AONB designation, which aims to preserve and enhance natural beauty. The industrial character of such a large-scale development is incompatible with the rural and scenic qualities of the surrounding landscape. 	<p><i>impacts to this receptor are unlikely to be significant. This matter can therefore be scoped out of the ES."</i> (Scoping Opinion ID 3.6.4 Ref 6.6.9)</p> <p>The Proposed Development would have no visual impact on the proposed National Landscape (formerly AONB).</p>
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 6. Flood Risk and Lack of Precedent for Impact Modelling</p> <ul style="list-style-type: none"> The site lies within a known floodplain, raising serious concerns about the potential for increased flood risk to nearby villages and settlements. The compaction of ground across such an extensive area is unprecedented in the UK, meaning current flood risk 	<p>ES Volume 4, Appendix 5.6 Flood Risk Assessment [PDA-021 to PDA-028] and its accompanying Appendix C - Hydraulic Modelling Report demonstrates that with the Proposed Development in place, the impact on fluvial flood risk is negligible when compared to the existing Site.</p> <p>Ground compaction would only likely occur during construction and therefore temporary. This has been assessed by both ES Volume 4, Appendix 5.6: Flood Risk Assessment (PDA-021 to PDA-028) and ES Volume 4 Appendix 5.5: Water Framework Directive Screening and Scoping [REP-030] both of which concluded that with the mitigation in place (notably the Outline Construction Environmental Management Plan (CEMP) [EN010157/APP/7.2 Revision 3]), the impact on soil erosion and increased runoff from</p>

		<p>models may not accurately reflect the consequences.</p> <ul style="list-style-type: none"> In the United States, several communities have reported increased flooding following the installation of large-scale solar farms, with little to no recourse or compensation for affected residents. Similar outcomes must be avoided in East Yorkshire. 	<p>compaction would be negligible. During operation, the above documents conclude, with evidence provided, that the transition from arable farmed land to solar farm with year-round grass cover would likely result in a minor benefit in terms of percolation and therefore runoff or soil erosion.</p> <p>Given the likely differences in planning policy, comparing the potential impact on flood risk arising from solar farms in the UK with those in different countries is not appropriate. The proposals should be judged on their merit in meeting UK planning policy. We are not aware of any solar farms in the UK that have resulted in an increase in flood risk.</p>
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 7. Inadequate Ecological Assessment</p> <ul style="list-style-type: none"> The ecological assessments for this proposal were conducted during the winter months, a period when many species are hibernating or exhibit minimal movement. As a result, the data collected does not provide an accurate or comprehensive representation of the site's biodiversity. 	<p>This is incorrect. Different species require surveys to be undertaken at certain periods of the year. Section 7.4 (Establishing baseline conditions) of ES Volume 2, Chapter 7: Biodiversity [REP1-019] clearly sets out when each species surveys were undertaken. The Environmental Statement has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and following government Environmental Impact Assessment guidance.</p>

		<ul style="list-style-type: none"> Proceeding with development based on incomplete seasonal data risks serious and irreversible harm to local wildlife populations and habitats. 	
East Riding Against Solar Expansion	[REP1 – 098]	<p>Objection 8. Lack of Glint and Glare Assessment</p> <ul style="list-style-type: none"> No adequate glint and glare assessment appears to have been conducted to determine the impact of reflective solar panels on surrounding road users and air traffic. The area is frequented by light aircraft, and the nearby road network is already hazardous in nature. Reflected sunlight from the panels could create dangerous visual distractions, further endangering both drivers and pilots 	<p>Glint and Glare has been assessed. The conclusions of the assessment are presented in ES Volume 4, Appendix 5.4: Glint and Glare Assessment [APP-100].</p>
East Riding	[REP1 – 098]	Impact on Food Production	The Applicant acknowledges the importance of balancing energy needs with the protection of high-quality agricultural

Against Solar Expansion		<ul style="list-style-type: none"> The site in question is currently used for agricultural purposes. Converting it into a large-scale solar farm poses risks to food production capacity, especially given the rising pressures on global food security. The land's suitability for food production, in terms of soil quality, water retention, and bio diversity, must be rigorously assessed. 	land. As such, the Applicant has undertaken assessments of the quality of land included as part of the Proposed Development. An Agricultural Land Classification (ALC) survey was undertaken within the Land Areas, refer ES Volume 4, Appendix 10.2: Agricultural Land Classification Report [APP-127] , to determine the quality of land proposed to be occupied by the Proposed Development. The survey undertaken is considered suitably rigorous. Impacts on agricultural land are also considered within Section 8.15 of the Planning Statement [APP-147] .
East Riding Against Solar Expansion	[REP1 – 098]	<p>Impact on the Character and Heritage of the Area</p> <ul style="list-style-type: none"> The location of Pear Tree Hill Solar is within a region of significant historical and cultural heritage. The visual impact of a large industrial solar farm on the landscape will erode the character of the area, which is cherished by locals and tourists alike. 	The Applicant is committed to preserving the significance historical and cultural heritage in the area. Impacts on cultural heritage, including impacts to the significance of the assets, have been assessed in ES Volume 2, Chapter 9: Cultural Heritage [REP1-021] and any necessary mitigation measures have been 'embedded' into the design of the Proposed Project to remove potential significant effects as far as practicable. The Design Approach Document [APP-149] identifies the project design principles and design mitigation to achieve this.

		<ul style="list-style-type: none"> The historic significance of surrounding villages, churches, and landmarks may be undermined by the scale of the project. 	
East Riding Against Solar Expansion	[REP1 – 098]	<p>Impact on Dark Skies</p> <ul style="list-style-type: none"> As a rural area, the night sky in East Yorkshire is a valued natural resource, contributing to the quality of life for residents and the local economy, particularly in tourism and stargazing. The project has the potential to light-pollute the area and disrupt local dark skies, which have been safeguarded for environmental and recreational reasons. ERASE has reached out to RWE on this issue. We have taken a collaborative approach to gathering scientific based research which might support 	<p>The Applicant is engaging with the Interested Party to arrange a site visit on this matter.</p> <p>In addition, the construction and operational lighting associated with the Proposed Development will be restricted and designed sensitively with the environment in mind therefore it is unlikely to pose an issue. Furthermore, operational lighting would be infrared security lighting so would only be triggered on movement. Therefore, lighting would not be permanently on throughout the night. As the Proposed Development is not located in a Dark Sky designation it's unlikely to have an effect on this as a receptor. The DCO Application is supported by ES Volume 2, Chapter 11: Landscape and Visual [APP-047], which provides justification for scoping out the lighting impacts on landscape character and visual amenity.</p> <p>As set out in ES Volume 1, Chapter 3: Proposed Development Description of the ES [APP-039] no areas of the Proposed Development would be continuously lit and lighting design would seek to limit any impact on sensitive receptors and will be designed with reference to the Institute of Lighting Professionals (ILP) Guidance Notes (in particular GN08/23: Bats and Artificial Lighting at Night [Ref.3-3], which was produced in collaboration with the Bat Conservation Trust</p>

		the developers claims but have failed. This reflects poorly on the developers stated desire to work with local communities	(BCT), and GN01/21: The Reduction of Obtrusive Light [Ref. 3-4]) insofar as it is reasonably practicable.
East Riding Against Solar Expansion	[REP1 – 098]	<p>Slavery in Supply Chains</p> <ul style="list-style-type: none"> One of the most concerning aspects of large-scale solar farms is the lack of transparency regarding supply chains, particularly in relation to the use of forced labour or unethical practices. We strongly urge an investigation into the ethical sourcing of materials used in the Pear Tree Hill Solar project to ensure no direct or indirect links to modern slavery or exploitation. This is particularly important given the sourcing of materials like silicon, cobalt, and rare earth metals, where labour abuses are known to occur. 	<p>The Applicant is committed to upholding human rights and labour rights in accordance with both national and international law. The Applicant requires its own teams as well as all its business partners and suppliers, to adhere to these laws and have a zero-tolerance policy to human rights violations.</p> <p>The Applicant is a signatory of the United Nations Global Compact, and as such is committed to upholding human rights and following international standards. The Applicant selects PV modules suppliers carefully and targets suppliers with a product qualification process, which includes selective manufacturing site visits.</p> <p>Additionally, the Applicant is a member of the Solar Stewardship Initiative (SSI) and sources PV modules from SSI-aligned manufacturers. The SSI works with industry participants including manufacturers and buyers of solar PV modules as well as other stakeholders including civil society, NGOs, intergovernmental institutions, international financial institutions, academies and independent experts with human rights and environmental expertise to foster responsible production, sourcing, and stewardship of materials in the solar value chain (www.solarstewardshipinitiative.org).</p>

National Gas Transmission plc	[REP1 – 099]	Due to the interaction between the NGT Assets and the Authorised Development, as shown on the NGT Assets Plans, there is a significant risk of increased electrical interference to transmission pipelines, traffic loading and pipeline vibrations during construction of the Authorised Development. These significant risks have the potential to result in safety limits being breached. NGT requires specific electrical impact assessments to fully evaluate the risks posed by the Authorised Development. Given the potential significant safety implications of electrical interference, securing sufficient property rights is essential to ensuring the safety and integrity of the gas transmission network.	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
National Gas Transmission plc	[REP1 – 099]	NGT is in control of the plans, methodology and specification for works within 15 metres of any retained Apparatus	This comment is noted.

National Gas Transmission plc	[REP1 – 099]	Works in the vicinity of NGT's apparatus are not authorised or commenced unless protective provisions are in place preventing compulsory acquisition of NGT's land or rights or the overriding or interference of the same. Any acquisition of rights must be subject to NGT's existing interests and rights and not contradict with or cut across such rights, including pipeline easements restricting development.	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
National Gas Transmission plc	[REP1 – 099]	<p>NGT require protective provisions to be included within the Draft Order to ensure that its existing assets and interests are adequately protected, as well as to ensure compliance with relevant safety standards (NGT Protective Provisions). For completeness, we include a copy of NGT Protective Provisions at Appendix 2.</p> <p>We note that the Draft Order does not yet contain protective</p>	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		provisions expressed to be for the protection of NGT, making it deficient from NGT's perspective. The Draft Order does contain generalised protective provisions for the protection of electricity, gas, water and sewage undertakers at Part 1 Schedule 12 (General Protective Provisions) but NGT does not consider that these are sufficiently precise as to protect NGT's interests and have identified a number of shortcomings:	
National Gas Transmission plc	[REP1 – 099]	The General Protective Provisions do not provide a detailed process for the approval of works that affect NGT apparatus and the setting out of requirements to enable development to take place.	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
National Gas Transmission plc	[REP1 – 099]	Further, the General Protective Provisions allow for a 'deemed approval' mechanism in the event that NGT does not confirm its position on the proposed works within a set timescale of 28-days. This deemed approval	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		mechanism is not appropriate for gas undertakers due to the safety-critical nature of their infrastructure. Any approval process must allow sufficient time for thorough review and consultation, ensuring that all proposed works meet safety, operational, and regulatory requirements.	
National Gas Transmission plc	[REP1 – 099]	<p>The General Protective Provisions do not provide an indemnity for the benefit of gas undertakers, instead it provides for the making of reasonable compensation. This is not sufficient or appropriate.</p> <p>[...] NGT should have the benefit of a full indemnity to ensure that it is not adversely penalised by a third-party project interacting with its apparatus. NGT should therefore have the benefit of a full indemnity to ensure that it is not adversely penalised by a third-party project interacting with its apparatus.</p>	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

National Gas Transmission plc	[REP1 – 099]	the General Protective Provisions do not provide for the provision of insurance or security prior to the commencement of the development. NGT (along with many other statutory undertakers) require that both acceptable insurance and acceptable security are put in place to ensure that NGT is not unduly financially burdened as a result of a development. The NGT Protective Provisions included at Appendix 2 contain the standard definitions	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
National Gas Transmission plc	[REP1 – 099]	The drafting of the definitions of Acceptable Insurance and Acceptable Security is predicated on both being provided and this is evidenced by the fact that NGT has no right to review or approve the terms of insurance to ensure that it has sufficient levels of coverage for all risks, such as event of insolvency or financial default as this is dealt with under Acceptable Security. It is therefore appropriate that NGT should have recourse to a parent company or	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		<p>bond in these circumstances.</p> <p>The principle of inclusion of acceptable security and acceptable insurance is well established within statutory undertaker protective provisions for DCOs. This wording has been included for the benefit of NGT (and National Grid Electricity Transmission plc (NGET)) in three recently granted DCOs: Byers Gill Solar Farm DCO (granted 23 July 2025), East Yorkshire Solar Farm DCO (granted 9 May 2025) and Viking CCS Pipeline DCO (granted 9 April 2025). The wording was also included for the benefit of NGET in the following DCOs (noting that NGT did not have apparatus affected by these projects and so protective provisions were not sought) demonstrating the acceptability of the principle: West Burton Solar Project DCO (granted 25 January 2025), Mona Offshore Wind Farm DCO (granted 4 July 2025) and</p>	
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		Oaklands Farm Solar Park (granted 19 June 2025).	
National Gas Transmission plc	[REP1 – 099]	The General Protective Provisions ensure that where works are near or affecting apparatus, access arrangements are provided for, but no more than that. However, it is entirely conceivable that the undertaker's works are not near the apparatus and do not in the normal sense of the word affect it. Access must be maintained at all times to ensure consistency of gas supply to customers and to enable NGT to remedy issues in an emergency.	The Applicant is in discussions with NGT regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
Network Rail Infrastructure Limited	[REP1 – 101]	Network Rail requires protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with the relevant safety standards. The content and format of these protective provisions is contained within Appendix 1 of the NR's relevant representations submitted on 30 May 2025.	The Applicant is in discussions with Network Rail Infrastructure Limited regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority. Discussions are also underway with regards to any additional agreements needed to ensure the Project can proceed whilst ensuring the safety of the operational railway.

Network Rail Infrastructure Limited	[REP1 – 101]	Network Rail requires a private agreement to regulate the manner in which rights over railway property are to be granted and in which works are to be carried out in order to safeguard Network Rail's statutory undertaking. Engineers for Network Rail are continuing to review the extent of impacts on operational railway and Network Rail property and any mitigation required (including NR's review and prior approval of the design proposals for the parts of the DCO scheme which interface with the railway at detailed design and construction stages) will be considered in this agreement.	The Applicant is in discussions with Network Rail Infrastructure Limited regarding bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority. Discussions are also underway with regards to any additional agreements needed to ensure the Project can proceed whilst ensuring the safety of the operational railway.
National Grid Electricity Transmission plc	[REP1 – 103]	We note that the Draft Order does not yet contain protective provisions expressed to be for the protection of NGET, making it deficient from NGET's perspective. The Draft Order does contain generalised protective provisions for the protection of electricity, gas, water and sewage undertakers at Part 1 Schedule 12	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		(General Protective Provisions) but NGET does not consider that these are sufficiently precise as to protect NGET's interests and have identified a number of shortcomings:	
National Grid Electricity Transmission plc	[REP1 – 103]	The General Protective Provisions do not provide a detailed process for the approval of works that affect NGET apparatus and the setting out of requirements to enable development to take place.	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
National Grid Electricity Transmission plc	[REP1 – 103]	Further, the General Protective Provisions allow for a 'deemed approval' mechanism in the event that NGET does not confirm its position on the proposed works within a set timescale of 28-days. This deemed approval mechanism is not appropriate for gas undertakers due to the safety-critical nature of their infrastructure. Any approval process must allow sufficient time for thorough review and consultation, ensuring that all proposed works meet safety,	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		operational, and regulatory requirements	
National Grid Electricity Transmission plc	[REP1 – 103]	<p>The General Protective Provisions do not provide an indemnity for the benefit of electricity undertakers, instead it provides for the making of reasonable compensation. This is not sufficient or appropriate.</p> <p>NGET should have the benefit of a full indemnity to ensure that it is not adversely penalised by a third-party project interacting with its apparatus. NGET should therefore have the benefit of a full indemnity to ensure that it is not adversely penalised by a third-party project interacting with its apparatus.</p>	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.
National Grid Electricity Transmission plc	[REP1 – 103]	the General Protective Provisions do not provide for the provision of insurance or security prior to the commencement of the development. NGET (along with many other statutory undertakers) require that both acceptable insurance and acceptable security	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		are put in place to ensure that NGET is not unduly financially burdened as a result of a development. The NGET's Protective Provisions included at Appendix 3 contain the standard definitions	
National Grid Electricity Transmission plc	[REP1 – 103]	<p>The drafting of the definitions of Acceptable Insurance and Acceptable Security is predicated on both being provided and this is evidenced by the fact that NGET has no right to review or approve the terms of insurance to ensure that it has sufficient levels of coverage for all risks, such as event of insolvency or financial default as this is dealt with under Acceptable Security. It is therefore appropriate that NGET should have recourse to a parent company or bond in these circumstances.</p> <p>The principle of inclusion of acceptable security and acceptable insurance is well established within statutory</p>	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		undertaker protective provisions for DCOs. This wording has been included for the benefit of NGET in the following recently granted DCOs: West Burton Solar Project DCO (granted 25 January 2025), Mona Offshore Wind Farm DCO (granted 4 July 2025), Oaklands Farm Solar Park (granted 19 June 2025), Byers Gill Solar Farm DCO (granted 23 July 2025), East Yorkshire Solar Farm DCO (granted 9 May 2025) and Viking CCS Pipeline DCO (granted 9 April 2025).	
National Grid Electricity Transmission plc	[REP1 – 103]	The general utility provisions ensure that where works are near or affecting apparatus, access arrangements are provided for, but no more than that. However, it is entirely conceivable that the undertaker's works are not near the apparatus and do not in the normal sense of the word affect it. Access must be maintained at all times to ensure consistency of supply to customers and to enable	The Applicant is in discussions with NGET regarding NGET proposals in the area as well as bespoke protective provisions and once agreed these will be included in the draft DCO. Whilst hopeful that an agreement can be reached, to the extent that no agreement has been reached by Deadline 5 the Applicant will set out the outstanding issues to the Examining Authority.

		NGET to remedy issues in an emergency.	
Environment Agency	[REP1-102]	We note the submission of the Applicant's 'Change Request' [PDA-001] at Procedural Deadline A, and that this submission included an updated flood risk assessment (FRA) [PDA-021 to PDA-028] in response to the Section 51 advice provided. This has been updated to include the latest flood and coastal erosion risk data published by the Environment Agency earlier this year. In addition, the Applicant has included the appendices to Appendix C: Modelling Report, some of which were previously missing from the submitted FRA, as noted in our Relevant Representation (ID EA13).	This comment is noted
Environment Agency	[REP1-102]	The Applicant has stated that all equipment will be set above the new design height for the area which has increased in depth with the addition of a freeboard. However, the Applicant has not	This comment is noted. Due to time constraints this will be addressed in the Deadline 3 submission by inclusion of a tabulated set of levels for each Land Area and associated drawings depicting flood levels where they vary within the various land areas.

		provided the height of infrastructure in these areas in metres above Ordnance Datum. We request the Applicant specifies this height in mAOD within their FRA.	
Environment Agency	[REP1-102]	In regard to Issue ID EA13, we can confirm that this has been addressed through the provision of drawings 60-244, 60-245, and 60-246 (Developed areas roughness increase). In terms of the impact of the development on flood risk, the roughness test this shows that any impacts are confined to within the Order Limits for the development. There appear to be no impacts to third parties outside of the order limits for the development.	This comment is noted.

3. Response to Stakeholder Responses to ExQ1

1.1.6 Table 2 below provides an applicant response to all stakeholder responses to ExQ1.

Table 2: Response to Stakeholder Responses to ExQ1

Stakeholder	PINS ref	ExQ1	Stakeholder Response to ExQ1	Applicant's Response to 'Stakeholder Response to ExQ1'
Historic England	[REP1 - 090]	1.8.6 Scheduled monuments Please confirm whether you agree with the applicant's assessment in ES Chapter 9 Table 9-8 [APP-045] that there would be no change and therefore no effect on the setting and significance of the three scheduled monuments?	Historic England considers the changes to the setting of the three scheduled monuments (NHLE 1007843 Meaux Cistercian Abbey; NHLE 1008039 Moated Kiln; NHLE 1015305 Meaux Duck Decoy) represents less than substantial harm to significance, and at the lower end of that scale. In RR-007, we noted that the Applicant considered screening vegetation to ameliorate potential harm to significance of the three scheduled monuments. We sought confirmation of the viability of existing vegetation to last for the lifetime of the Proposed Development (e.g. in terms of health and susceptibility to	This is noted by the Applicant.

		<p>disease) and sought confirmation about the climate resilience of the proposed planting mix. This is to ensure that a consistent level of vegetative cover around and between the scheduled monuments is maintained.</p> <p>We can confirm the Applicant has provided sufficient information, in response to our request. We also understand the Draft DCO [EN010157/APP/3.1] has been updated to state that Historic England would be consulted for matters relevant to their function in the development of the Landscape and Ecological Management Plan, which is welcomed.</p> <p>We agree that the proposed mitigation planting will help to reduce the visual impact on the setting of the monuments, and is welcomed, although we consider this will not remove the harm altogether. In relation to this matter, and in coming to a decision the ExA, would therefore need to weigh the harm</p>	
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			against the benefits, as set out policy.	
National Gas Transmission plc	[REP1 - 091]	<p>1.3.27</p> <p>The ExA notes that you request protective provisions as per your RR [RR-009]. The dDCO (PDA-012) includes protective provisions for gas undertakers, amongst others, at Schedule 12, Part 1. Please clarify whether these are acceptable to you and if not, provide any alternative wording for protective provisions for the ExA's and the applicant's consideration.</p> <p>Please also continue to liaise with the applicant on the matter as necessary</p>	<p>The protective provisions for gas undertakers included at Schedule 12, Part 1 of the dDCO are not sufficient from NGTL's perspective. The dDCO does not contain protective provisions expressed to be for the protection of NGTL, making it deficient from NGTL's perspective.</p> <p>Please find enclosed NGTL's preferred protective provisions for consideration.</p> <p>NGTL will continue to engage with the applicant to agree suitable protective provisions.</p>	<p>The Applicant is in discussions with National Gas Transmission plc regarding bespoke protective provisions and once agreed these will be included in the draft DCO.</p>

		to reach an agreement.		
Beverley and North Holderness Internal Drainage Board	[REP1 - 092]	1.3.33 The applicant amended Schedule 12 Part 3 of the dDCO [PDA-012] to remove reference to 'East' from the name of BNHIDB. Please confirm whether you are satisfied with the protective provisions as set out in the dDCO and that they address the points raised in your RR, and if not, please provide alternative wording	<p>The Board appreciates the removal of the reference to 'East' in Section 17.</p> <p>The Board has been made aware by the applicant that they intend to submit an amended draft Development Consent Order for Deadline 1 in relation to the definition of "specified work." This is to clarify that the 9 metre buffer zone will be measured from the embankment top.</p> <p>Once the Board has had the chance to review these changes, we will be able to make a more specific comment on the protective provisions and provide any alternative wording the Board may see fit.</p>	This is noted by the Applicant.
Natural England	[REP1 - 093]	1.2.7 Do you consider whether any further requirements are needed, such as relating to/ to secure	Natural England does not consider that any further requirements relating to our remit are required at this stage. Natural England welcomes the inclusion of relevant draft Requirements, including Requirements 4, 6, 9, 14 and 15, and	The Applicant can confirm that Natural England was added as a consultee for requirement 9 in the version of the Draft DCO [REP1-006] submitted at Deadline 1.

		<p>the following: proposed permissive paths; proposed community accessible areas; biodiversity net gain; foul and surface water drainage; skills, employment and supply chain (noting NPS EN-1 paragraph 5.13.12); and pre-construction protected species surveys. Please justify your answer and provide preferred wording of any requirements you consider necessary.</p>	<p>consider that these adequately secure the required plans relevant to our remit. As stated in our Relevant Representation [RR-012], we advise that consultation with Natural England should be referred to in part 1 of Requirement 9.</p> <p>Please refer to our detailed advice on the associated draft plans in Part II of our RR-012. We may have further detailed advice on the relevant plans, if further information is provided at a later stage.</p> <p>Natural England note that the updated HRA (to be submitted at Deadline 1) states that the water for Horizontal Directional Drilling will be brought to site, and that no water will be abstracted from the River Hull or a tributary of the Humber Estuary, for this purpose. We advise that this should be adequately secured via the relevant plan.</p>	
Natural England	[REP1 - 093]	1.6.9	<p>Natural England highlight that the condition of designated sites is recorded by feature, rather than at a site level. We advise that the</p>	<p>The Applicant can confirm that the condition assessment information for the SSSIs which underpin the European sites has</p>

		<p>The HRA [APP-145] does not currently state whether the European sites considered are in favourable or unfavourable condition. Can the applicant and NE confirm for each of the five European sites considered in the HRA, whether they are in favourable or unfavourable condition.</p>	<p>condition of the underpinning SSSI features is referred to in most instances for the most up-to-date information on the European site features.</p> <p>The condition status of the features of Hornsea Mere SSSI can be viewed here: Site feature condition.</p> <p>The condition status of the features of the Humber Estuary SSSI can be viewed here: Site feature condition. We have listed some of the key features impacted by this development, and their status, below:</p> <ul style="list-style-type: none"> • Golden plover – favourable. • Lapwing – unfavourable no change. <p>The underpinning SSSIs for the Greater Wash can be found here: Designated Sites View. Please refer to each SSSI for the condition status of the features of the Greater Wash SPA.</p>	<p>been used to indicate conservation status of the European sites. This was updated in Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP1-015] which was submitted at Deadline 1.</p>
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Natural England	[REP1 - 093]	<p>1.6.10</p> <p>Since no site-specific conservation objectives have been published for Ramsar sites, the HRA [APP-145] applies the Humber Estuary Special Protection Area's (SPA) objectives to the Humber Estuary Ramsar site. Please confirm whether you are content with this approach.</p>	<p>Natural England are satisfied with the proposed approach to apply the conservation objectives of the Humber Estuary Special Protection Area (SPA) to the Humber Estuary Ramsar site, given the absence of site-specific conservation objectives for the Ramsar site. We note that some features of the Ramsar site are not covered by the SPA designation (such as river lamprey), but that these features have equivalents within the Humber Estuary SAC, whose conservation objectives can be used accordingly.</p>	This is noted by the Applicant.
Natural England	[REP1 - 093]	<p>1.6.11</p> <p>Please confirm whether you agree with the applicant's conclusions in respect of likely significant effects and adverse effects</p>	<p>Where we have not provided comments in our Relevant Representations [RR-012], we confirm our agreement with the conclusions presented in the HRA [APP-145]. However, we note that this position may change if further</p>	This is noted by the Applicant.

		on integrity (AEoI) for the European sites and features considered in the HRA [APP-145] which are not specifically referenced in your RR [RR-012].	information becomes available during the examination process.	
Natural England	[REP1 - 093]	<p>1.6.16</p> <p>Section 4.5 of the HRA [APP-145] scopes out degradation of habitats as a result of changes to water quality as a result of release of sediment from construction/decommissioning activities (such as installation of culverts) and from spillage of chemicals or contaminants.</p> <p><u>To NE and the EA</u></p>	<p>Natural England confirms that we are content for the HRA [APP-145] to scope out the impact pathway relating to degradation of habitats from changes to water quality due to the release of sediment during construction or decommissioning activities in this case. We highlight, however, that our Relevant Representations [RR-012] includes outstanding comments regarding potential water quality impacts from the spillage of chemicals or contaminants, specifically the risk of bentonite breakout associated with Horizontal Directional Drilling (NE5).</p> <p>Our updated position on operational water quality impacts, as outlined in NE6a and NE6b of our Relevant</p>	<p>In relation to [RR-012] a detailed response has been provided for each of the matters raised by Natural England within the Response to Relevant Representations [REP1-071], for brevity the full response has not been repeated here.</p> <p>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP1-015] has been updated and resubmitted at Deadline 1.</p>

		a) Please confirm whether you are content for the HRA to scope out this impact pathway.	Representations [RR-012], is reflected in the draft Statement of Common Ground.	
Natural England	[REP1 - 093]	1.6.17 With regard to the HRA monitoring outlined within the oLEMP [PDA-018] and the HRA [APP-145], should provision be made for results to be provided to NE for review/ comment?	Natural England note that 19.1.2 the oLEMP states that 'it is anticipated that following the review, any problems or changes that are impacting on the landscape will be accommodated with the agreement of East Riding of Yorkshire Council'. We concur that provision should be made for the results of monitoring to be provided to the Local Planning Authority in the first instance. The Local Planning Authority can consult Natural England on this information, if it is deemed relevant/necessary. Provision should be made for monitoring results to be provided to Natural England should mitigation targets not be met.	This is noted by the Applicant.

East Riding of Yorkshire Council	[REP1 - 094]	<p>1.1.1</p> <p>The ExA understands that ERYC recently adopted its Local Plan Update (as is noted in [RR-005]). Does this have any implications for the proposed development?</p>	<p>The East Riding Local Plan Update was adopted on 2nd April 2025 when it became part of the development plan, superseding the East Riding Local Plan 2016. The applicant has referred to both documents within their planning statement and carried out an assessment of the relevant policies. The adoption of the updated Local Plan does not have any implications for the proposed development to those considered by the applicant. A more detailed assessment of compliance with the Local Plan is set out in the Local Impact Report prepared by ERYC.</p>	<p>This is noted by the Applicant.</p>
East Riding of Yorkshire Council	[REP1 - 094]	<p>1.1.4</p> <p>Planning Statement section 3.9 [APP-147] states that there would be a community benefit fund, though this would sit outside of the development consent process and should thus be</p>	<p>ERYC welcome the community benefit fund. ERYC have not liaised with the applicant on this matter as it was understood that this was a voluntary contribution which sat outside of the DCO process.</p> <p>Where possible ERYC would like to see this secured to ensure it materialises however understand that it is not a material planning</p>	<p>ERYC is correct in that the community benefit fund is a voluntary contribution by the Applicant and sits outside of the DCO process. It is not a material planning consideration.</p>

		afforded no weight in the overall planning balance. Please clarify why this is the case, what any such fund might be used for, the likelihood of it materialising, and whether the applicant has been liaising with any parties, such as ERYC, on the matter.	consideration and therefore may not be possible to secure.	
East Riding of Yorkshire Council	[REP1 - 094]	1.1.5 Would there be any implications for the projects/ applications listed in Planning Statement Table 2 [APP-147] should development consent be granted?	The applicants description of projects/ applications listed in Table 2 of the Planning Statement are considered to be an accurate reflection of the proximity of these projects to the proposed development order limits. There is an overlap of developments in the vicinity of Creyke Beck substation, particularly with consent and proposed cable routes however it is expected that discussions between developers would ensure there is no conflict between these cable routes.	This is noted by the Applicant.

			<p>As such there are not considered to be any implications for the already consented development identified in Table 2. Furthermore, cumulative assessments have been undertaken in which all relevant developments have been considered when assessing the impacts of the proposed development.</p> <p>The ERYC Nature Conservation Officer has however raised concerns in relation to enclosure of proposed mitigation land for Pear Tree Hill Plantation by solar PVs associated with Carr House Farm Solar. There will be a positive impact through joining up of SPA mitigation land with the Carr Farm Solar mitigation land.</p>	
East Riding of Yorkshire Council	[REP1 - 094]	<p>1.1.8</p> <p>The ExA notes that you raise no specific concerns in your RR [RR-001] regarding the proposed development.</p>	The LIR responds to this question in detail.	This is noted by the Applicant.

		Please confirm whether you are satisfied with all the assessments that have been undertaken as part of the ES and that any mitigation would be secured through the dDCO [PDA012] and management documents as necessary.		
East Riding of Yorkshire Council	[REP1 - 094]	<p>1.2.7</p> <p>Do you consider whether any further requirements are needed, such as relating to/ to secure the following:</p> <p>proposed permissive paths; proposed community accessible areas; biodiversity net gain; foul and surface water drainage;</p>	<p>A requirement to secure the indicated biodiversity net gain is appropriate</p> <p>Biodiversity net gain</p> <p>(1) No part of the authorised development may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority for that part, in consultation with the relevant statutory nature conservation body.</p>	<p>The Applicant does not consider a requirement relating to biodiversity net gain is required. The Outline Landscape and Ecological Management Plan (LEMP) [EN010157/APP/7.5 Revision 4], secured by Requirement 9, outlines the management and monitoring required to deliver the biodiversity gain outlined in ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [EN010157/APP/6.4 Revision</p>

		<p>skills, employment and supply chain (noting NPS EN-1 paragraph 5.13.12); and pre-construction protected species surveys. Please justify your answer and provide preferred wording of any requirements you consider necessary.</p>	<p>(2) The biodiversity net gain strategy must include details of how the strategy will secure a minimum of 10% biodiversity net gain in area-based habitat units, hedgerow units, and watercourse units for all of the authorised development during the operation of the authorised development, using the Department of Environment, Food and Rural Affairs' 4.0 Statutory Metric to calculate those percentages (or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body).</p> <p>(3) The biodiversity net gain strategy must be fully implemented and maintained throughout the operation of the relevant part of the authorised development to which the plan relates for a minimum period of 30 years.</p> <p>Protected Species Surveys</p> <p>ERYC would anticipate these to be fully outlined and agreed in the oCEMP ahead of the DCO being granted. We reiterate that Table 5-1</p>	<p>2]. The Landscape and Ecological Management Plan will be reviewed after 30 years to ensure it is fit for purpose for the remaining 10 years of the Proposed Development operation. As such, it is considered that the anticipated biodiversity net gain is already appropriately secured.</p> <p>The Applicant has agreed to amend Requirement 21(2) of Schedule 2 to the Draft DCO [EN010157/APP/3.1 Revision 5] to extend the timeframe for requesting further information to 15 business days and this is included in the updated Draft DCO submitted at Deadline 2.</p>
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			<p>of the oOEMP should include procedures for implementing, adapting and monitoring any protected species licences</p> <p>Whilst not an additional requirement, ERYC would seek that Schedule 2 - Part 2 Procedure for Discharge of Requirements - further information regarding requirements - 21(2), be extended to allow a total of 21 days from receipt of a valid application for further information to be requested by the LPA. This would be in accordance with the statutory consultation period of 21 days.</p>	
East Riding of Yorkshire Council	[REP1 - 094]	<p>1.2.34</p> <p>Various Rs – R5 (Construction traffic management plan), R8 (Battery safety management plan) and R9 (Landscape and ecological management plan) would require the undertaker to consult with relevant</p>	<p>ERYC welcome the undertaker consulting with relevant parties prior to the submission of details to the LPA for approval to ensure the details submitted are acceptable. The Council would however further consult the relevant consultees as standard practice when discharging conditions/requirements.</p>	This is noted by the Applicant.

		<p>parties prior to the submission of details to the local planning authority for approval, with R19 setting out the procedure for this. Please confirm that you are content with this approach rather than the onus being on ERYC to consult the relevant parties.</p>		
<p>East Riding of Yorkshire Council</p>	<p>[REP1 - 094]</p>	<p>1.2.39</p> <p>R2 - should this include provision for details around phasing of the proposed development to be submitted to and approved by the local planning authority and for works to comply with approved details, noting for example that ES Non-Tech</p>	<p>ERYC note that suggested phases are identified within the application however the applicant has not confirmed that this is the phase the development would be constructed in.</p> <p>ERYC do not consider it necessary to require details of phasing as the impact on highway, biodiversity etc would be unchanged. Furthermore, with regard to the impact on the local community, the outline Construction Environment Management Plan includes a community liaison group in which a programme of community</p>	<p>This is noted by the Applicant.</p>

		Summary paragraph 3.2.1 [APP-094] sets out proposed phases?	liaison will be carried out, including notification of works and details of the complaints process.	
East Riding of Yorkshire Council	[REP1 - 094]	1.2.42 R3(1)(g) – should this also include ‘electrical cables’ given that these are cited in Sch 1?	ERYC are satisfied that electrical cables are covered ‘drainage, water, power and communications cables and pipelines’	This is noted by the Applicant.
East Riding of Yorkshire Council	[REP1 - 094]	1.2.43 R4, R6, R7, R8, R14 and R15 – should these requirements for a CEMP, SMP, BSMP, SWMP, OEMP and DEMP make provision for the local planning authority to consult any other parties as part of the approval process, or for any parties to be consulted by the undertaker prior to	ERYC would consult all relevant/necessary consultees as standard practice when discharging conditions/requirements.	This is noted by the Applicant.

		the submission of details to be discharged by the relevant planning authority (noting for example that the EA has requested [RR-005] to be a consultee on R4, R6 and R8)?		
East Riding of Yorkshire Council	[REP1 - 094]	<p>1.3.35</p> <p>The ExA notes that the BoR [PDA-016] identifies National Highways Limited as being the freehold owner and an occupier of Plot 16-7 (part of the A1079) which the applicant is seeking to acquire new rights over in respect of cabling works below the road. The Schedule of Negotiations and Powers Sought [APP-025] notes that</p>	The BoR should be updated to reflect ERYC as local highway authority as owner/occupier of Plot 16-7. ERYC are not aware of any implications for the provisions of the dDCO that this change would have.	<p>ERYC have been added to the Book of Reference [REP1-012] submitted at Deadline 1 to reference their interest in plot 16-7 as Highway Authority. There is no implication of this change on the Draft DCO [EN010157/APP/3.1 Revision 5].</p>

		the land was transferred to ERYC as local highways authority. Should the BoR be updated to reflect this and does this have any implications for the provisions of the dDCO?		
East Riding of Yorkshire Council	[REP1 - 094]	<p>1.8.3</p> <p>Given the proximity of the proposed development to the Long Riston conservation area (approximately 200m), please confirm why this designated heritage asset has not been included in the Detailed Settings Impact Assessment [APP-123]? Is ERYC content that the proposed development would</p>	<p>The Long Riston Conservation Area, and the Church of St. Margaret located on its western edge, are located within c.500m of one parcel of the proposed development.</p> <p>The character of the former is defined by its surviving linear historic pattern, which runs sinuously for a considerable length. It is lined by buildings of generally one and half or two storeys, constructed in brick and historically roofed in slate. These historic properties form an attractive group, and also provide good evidence of the historic vernacular architecture of the East Riding. The wider setting of the conservation area is defined by its open</p>	<p>The Applicant has assessed the impact of the development on the contribution made to the significance of the Church of St. Margaret by its wider setting in Appendix 3: Settings impacts screening exercise of ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment [APP-118 and 119]. The Applicant maintains its assessment of no significant impacts to the asset. Therefore, the Applicant's assessment has not been updated.</p>

		<p>preserve or enhance the character or appearance of the conservation area?</p>	<p>landscape, subdivided by trees. This is legible when entering and exiting the conservation area from the north and south. Particularly to the north does preserve the conservation areas wider setting. However, it is also relevant that the linear nature of the roads, and of the conservation area, means that key views into and out of the conservation area tend to be relatively channelled by the road network. From within the conservation area, this wider setting is not immediately legible, although the absence of visible development does help to reinforce the historic settlement plan of the village.</p> <p>The significance of the latter is defined by its exceptional architectural and visual interest, as it exhibits high quality decorative detailing and craftsmanship. It also has considerable evidential and historic value, providing evidence of the evolution of ecclesiastical architecture, as well as of the history of Long Riston. Its setting is defined by its relationship to the village, slightly set away to the west, with</p>	<p>The response regarding Long Riston Conservation Area is noted.</p>
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			<p>fields to the north and south, which preserve a sense of openness around the building.</p> <p>From an initial assessment, it was considered that the separation between the development and these two heritage assets was sufficient to avoid an impact on their significance. It is still considered that this is the case in relation to the Long Riston Conservation Area, as it is concluded that the parcel of land, while potentially visible in views leaving and entering the conservation area, is sufficiently separated for the heritage asset and the development to not be experienced in conjunction with each other. However, having considered the site further, it is noted that there would be a benefit to considering the impact of the development on the contribution made to the significance of the Church of St. Margaret by its wider setting, and appropriate mitigation measures that might be put in place to limit or avoid impact on this significance.</p>	
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<p>East Riding of Yorkshire Council</p>	<p>[REP1 - 094]</p>	<p>1.8.6 Please confirm whether you agree with the applicant's assessment in ES Chapter 9 Table 9-8 [APP045] that there would be no change and therefore no effect on the setting and significance of the three scheduled monuments?</p>	<p>The council's conservation team have assessed the impact of the development on the wider setting of the three Scheduled Monuments in Meaux where there was a potential to be affected by the development. This assessment agreed with the assessment made by the applicant in ES Chapter 9 Table 9-8 in relation to Meaux Duck Decoy and the Medieval Moated Tile Kiln, namely that there would be no impact. However, we disagreed with the assessment of the impact on the Site of Meaux Cistercian Abbey, albeit only to a minor degree. Rather than no impact, it was the council's conclusion that there would be a low level of change, a low effect and a low, less than substantial, impact on its significance. Our more detailed assessment of these assets is set out below.</p> <p>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</p>	<p>The Applicant maintains that, following the implementation of the embedded and additional mitigation detailed in ES Volume 2, Chapter 9: Cultural Heritage [REP1-021], the magnitude of impact to the significance of Meaux Abbey Scheduled Monument during the construction and operation (including maintenance) phase is not changed, leading to no residual effects, which is not significant.</p> <p>The significance of effect suggested by East Riding of Yorkshire Council (a low level of change, a low effect and a low, less than substantial, impact on its significance) would not result in a change to the conclusions of the assessment and therefore the Applicant's assessment has not been updated.</p> <p>The response regarding the Moated tile kiln and Meaux Duck</p>
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			<p>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.</p> <p>The wider setting of the asset therefore makes an important contribution to its significance, which also considerably derives from the surviving above and below ground</p>	Decoy Scheduled Monuments is noted.
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			<p>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 setting assessment (ES Vol.4 Appendix 9.4) acknowledges that there will be notable impact during the construction phase, particularly audial effects of the increased volume and size of the traffic. We would 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'. We would also suggest that the intensification of the use of the roads and the site will also have a negative effect on the positive contribution made by the historically and currently isolated character of its wider landscape. This will also likely have some impact during the operational phase of the</p>	
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			<p>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.</p> <p>We therefore would not fully agree with the conclusions drawn in ES Chapter 9 Table 9-8 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.</p> <p>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</p>	
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			<p>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.</p> <p>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. We would therefore agree with the conclusions drawn by the applicant's heritage expert in ES Chapter 9 and the detailed setting assessment.</p> <p>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</p>	
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		<p>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.</p> <p>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, inasmuch 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 will result in</p>	
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			harm to the significance of the asset. We would therefore agree with the conclusions set out in Table 9-8 of ES Chapter 9.	
East Riding of Yorkshire Council	[REP1 - 094]	1.10.8 Are you satisfied that you have sufficient design expertise to ensure good design of the proposed development in respect of discharging R3 of the dDCO [PDA-012], should development consent be granted?	Further to internal technical consultees, ERYC have an internal design team in which we are satisfied we have sufficient design expertise when discharging R3 of the dDCO.	This is noted by the Applicant.
East Riding of Yorkshire Council	[REP1 - 094]	1.10.9 For the BESS, the Design Parameters Document [APP-150] states that containers would be 'light grey, white, dark green or similar in colour'.	It would be a preference of ERYC that for these more solid, bulky elements of the Solar Farm, the best way to proceed would be through the use of Environmental Colour Assessment (ECA). This technique establishes the naturally occurring colours within a landscape. This can be used to identify colours which would have a recessive, or	The Applicant would look to agree container colour with the ERYC at detailed design stage pursuant to the requirement 3 detailed design approval process of the Draft DCO [EN010157/APP/3.1 Revision 5] . At present the Design Parameters Document [EN010157/APP/5.8 Revision

		<p><u>To ERYC</u></p> <p>c) Please provide your view on the matter and whether you have any preference for use of colour.</p>	<p>camouflaging, effect on new structures within the landscape, enabling them to integrate with, rather than stand out from, their setting. ECA is carried out through an established process of using Natural Colour System (NCS) colour swatches on site and comparing background colours directly against the NCS colours. This is more appropriate, and landscape-specific, than simply referring to 'muted colours' in a RAL chart.</p>	<p>3] looks to maintain flexibility should ERYC consider that different colours would be better suited to the landscape across the site, or want to use different colours for wayfinding purposes.</p>
<p>East Riding of Yorkshire Council</p>	<p>[REP1 - 094]</p>	<p>1.10.13</p> <p>The AIA [APP-115] identifies trees to be retained and their root protection areas. It also, at paragraph 4.3.3 and section 5, notes that an arboricultural method statement (AMS) and tree protection details would be required prior to construction. The oCEMP [APP-</p>	<p>It would be appropriate for the AMS to form part of the CEMP given that tree protection measures are an integral part of the construction process.</p>	<p>The Arboricultural Method Statement will be appended to the Construction Environmental Management Plan. This is secured in the Outline CEMP [EN010157/APP/7.2 Revision 3].</p>

		153] also identifies the need for an AMS and tree protection measures. Should these form part of a detailed CEMP to be approved by the local planning authority under R4 of the dDCO rather than a document simply to be produced for the principal contractor?		
East Riding of Yorkshire Council	[REP1 - 094]	1.10.26 The oDEMP [APP-155] makes only a brief reference to reinstatement of land, at paragraph 3.3.9. Would this be sufficient to secure appropriate reinstatement/ restoration of land under R15 of the dDCO [PDA-012]?	ERYC are satisfied that 3.3.9 of the oDEMP would secure appropriate reinstatement/ restoration of land to its former condition. At para 1.1.6 of the oDEMP it states that one or several Decommissioning Environmental Management Plans may be produced and “approved by the relevant Local Planning Authority in advance of the date of decommissioning for the relevant part of the Proposed Development”. This would appear to provide an	In relation to the timings within the Outline DEMP [EN010157/APP/7.4 Revision 3] , the Applicant added at Deadline 1 the following underlined wording to Requirement 15 of the Draft DCO [EN010157/APP/3.1 Revision 5] : Any DEMP submitted for approval under sub-paragraph (2) must be substantially in accordance with the outline DEMP <u>and must include an anticipated timescale</u>

			<p>appropriate overview and control of the decommissioning process.</p> <p>Further information is however sought on timings within the oDEMP. Currently there is little certainty or requirement for the decommissioning to be completed, instead just commencing.</p> <p>ERYC would also like to see an addition to requirement 15.1 of the DCO in the event that the development ceases to export electricity to the grid for a continuous period of more than 12 months, then within 3 months from the end of that 12-month period, a DEMP shall be submitted for approval.</p>	<p><u>in which decommissioning works should be completed.</u> The Applicant considers this is sufficient to address EYRC's request for further information around the timeframes associated with the completion of decommissioning.</p> <p>The Applicant does not propose to make the requested amendment to Requirement 15 to include a requirement to submit a DEMP if the export of electricity ceased for a 12-month period. The requested drafting is not contained in any of the following recently made solar DCOs: The Byers Gill Solar Order 2025, The East Yorkshire Solar Farm Order 2025, The Heckington Fen Solar Park Order 2025, The West Burton Solar Project Order 2025, The Cottam Solar Project Order 2024 and The Sunnica Energy Farm Order 2024. Additionally, a cessation of electricity export could be as a result of matters outside of the Applicant's control</p>
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				such as a grid transformer failure which can take a significant time to repair. It is therefore not considered appropriate to include such a requirement.
East Riding of Yorkshire Council	[REP1 - 094]	1.11.1 Please confirm that you are content that all reasonable steps have been taken by the applicant to minimise adverse noise effects?	The Operational Noise Assessment raises some concerns (Environmental Statement Volume 4 Appendix 12.4: Operational Noise Assessment Details). 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. As the assessment method used is BS4142:2019m this indicates 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.	The requirement of BS 4142:2014+A1:2019 does not determine the level of significance, merely by quantifying the degree to which the rating level exceeds the representative background sound level. BS 4142:2014+A1:2019 requires that following the initial assessment of rated noise levels against background, the impact should be modified due to the context in order to determine significance. Contextual considerations in this case, have accounted for the absolute level of sound in accordance with BS 4142:2014+A1:2019 which states, "where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the

			<p>In terms of ecological impacts ERYC are satisfied with regards to noise effects.</p>	<p>margin by which the rating level exceeds the background. This is especially true at night”.</p> <p>In this case, the assessment has considered a design target criteria rating noise level at receptor locations for daytime and night operations. The adopted criteria are considered to represent a low magnitude in accordance with Planning Practice Guidance, which defines a situation where, “Noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life”.</p> <p>For clarity, the adopted criteria within the assessment are not led by the values stated in the WHO Guidelines. Rather, WHO has been referenced as a means to place the adopted noise criteria in context. The adopted criteria adopted in the</p>
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				<p>assessment are considerably lower than that referenced within WHO and deemed sufficient to constitute a 'low impact' in accordance with Planning Policy.</p> <p>The approach and agreement on the assessment methodology and criteria have been agreed with East Riding of Yorkshire Council's Environmental Control department via email dated 06 February 2024, which outlined the scope of the assessment, following completion of the baseline monitoring exercise. A response was received, dated 24 July 2024 from Environmental Control, stating acceptance of the assessment approach and adoption of fixed criteria (where appropriate) in accordance with BS 4142:2014+A1:2019 as per item ERYC37 of Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 2].</p>
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				<p>Mitigation measures have been explored and adopted within the assessment, as detailed within the design commitments set out within the Design Approach Document [APP-149]. This adopts the principles of good design, including the sympathetic positioning of plant and equipment, and incorporation of offsets to residential receptors. Section 12.8 of ES Volume 2, Chapter 12: Noise and Vibration [APP-048] outlines a number of additional mitigation measures, including mitigation at source through the reduction of plant items at source and re-orientation of equipment, and mitigation through transmission in the form of barriers surrounding specific plant items.</p> <p>Through the implementation of the design commitments and additional mitigation measures secured in the Outline Operational Environmental</p>
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				<p>Management Plan [REP1-052], the assessment of operational noise as detailed within ES Volume 2, Chapter 12: Noise and Vibration [APP-048] concludes that the residual effects from operational noise are not significant.</p> <p>Additionally, Requirement 12 of the Draft DCO [EN010157/APP/3.1 Revision 5] secures that prior to operation, an operational noise assessment, containing details of mitigation must be submitted to and approved by the relevant planning authority. The mitigation measures must be implemented as approved and would be designed to ensure that appropriate threshold noise limits would be complied with.</p>
East Riding of Yorkshire Council	[REP1 - 094]	1.13.2 The oCTMP at paragraph 5.1.4 [APP-158] indicates that further specialist	At this moment in time, it is unknown what AIL's will be required, however at the time of a full CTMP being provided, as required by requirement 5 of the DCO, this information should be made available. It is not unusual	The Applicant agrees with the proposed approach indicated by East Riding of Yorkshire Council. Full details of the AIL routes and mitigation will be provided at the time of the Construction Traffic

		<p>surveys for large loads (AILs) would be required along Meaux Lane to determine whether movements of such vehicles could be carried out. Given that such movements are likely to be required, please explain:</p> <ul style="list-style-type: none"> a) Why such surveys have not already been undertaken; b) What the likelihood is that such movements would be possible; c) Why this appears to be contrary to paragraph 5.1.3 which 	<p>for this information to be submitted at a later date. It typically requires full load details including weight and dimensions and also what type of vehicle is required to make the move. This takes significant information and a professional haulage company to review the route and provide ERYC with the information to be signed off. Depending on the formal details, it is likely that AILs can access the site with mitigation such as temporary localised widening, street furniture removal and other traffic management. Para 5.1.3 of the oCTMP (APP-158) state that large loads have been surveyed and it is understand this be the HGV routes which have been surveyed and provided as part of the OCTMP documents.</p>	<p>Management Plan, as committed to in the Outline Construction Traffic Management Plan (CTMP) [REP1-060].</p>
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		<p>indicates that swept path surveys for large loads have been undertaken and are shown to be sufficient; and</p> <p>d) What the implications would be for the construction of the proposed development should future specialist surveys conclude that such movements are not possible?</p>		
East Riding of Yorkshir	[REP1 - 094]	1.13.5	The proposed HGVS and any AILs are likely to be over the weight restriction, however the weight	The Applicant agrees with the position of East Riding of Yorkshire Council and does not

e Council		oCTMP Paragraph 4.1.6 [APP-158] notes that HGVs would access Meaux Lane from the north via the A1035 despite a 7.5 tonne weight restriction. Would HGVs be more than this weight and if so, please explain how it would be feasible to use this route (and others), addressing NPS EN-3 paragraph 2.10.125 (the same applies to AILs). Is ERYC agreeable to this?	restriction applies to HGVs that are driving through the whole restricted area, allowing for deliveries to take place. The proposal also includes improvements such as localised widening to the route which would cater better for HGVs, this is shown in Appendix 4 of the Transport Assessment (APP138).	consider any additional commitments to be required.
East Riding of Yorkshire Council	[REP1 - 094]	1.13.8 The applicant's document Potential Main Issues for Examination on pages 15-17 [APP-148] indicates ERYC's concern (in	ERYC are not satisfied with the response given, especially given that the approved access from the A1079 remains to form part of a National Grid planning applications (24/03819/STPLF & 25/01898/STPLF) which are for Creyke Beck substation extension	The Applicant accepts that a preferred approach would be to access via the suggested A1079 access rather than Park Lane. However, despite technical approval, there is no certainty that the A1079 access would be operational by the time it is

		<p>red, as being a fundamental disagreement which is unlikely to be resolved during examination) around HGV movements along Park Lane and has provided a response to this. The ExA also understands that the Hornsea Four Offshore Wind Farm project has been discontinued.</p> <p>Please confirm:</p> <p>a) Whether you are satisfied with the applicant's response in [APP-148], including in light of the status of the discontinued project, and if</p>	<p>and a new substation. These applications will be subject to a pre-commencement condition to ensure that the A1079 access and access road is first built. Park Lane access would need to navigate Northgate which is often restricted due to parked cars, the very tight junction of Northgate/Park Lane which has limited visibility as well as no real junction radii, this is before taking into account Park Lane itself which is heavily residential at one end and single track PROW towards Creyke Beck.</p> <p>ERYC are satisfied that the ES and Transport Assessment in terms of numbers and impacts on the highway network are robust, except for the use of Park Lane which is not acceptable. It is further noted that TA states that the development would not be ready until Q3 of 2028, at which time it is anticipated that the A1079 access will be operational.</p>	<p>required for the cable grid connection works associated with the Proposed Development.</p> <p>The Applicant is concerned of the implications for the delivery of the construction programme in the event of the A1079 access being delayed, paused or cancelled due to potential issues outside of the Applicants or the A1079 scheme contractor's control. On this basis, it is proposed to retain the use of Park Lane as a secured option, with the A1079 access considered as the preferred option should this be delivered in time to align with the construction programme for the Proposed Development (subject to there being no discernable impact on the construction of the Proposed Development).</p> <p>Park Lane is understood to be used for construction vehicle routing associated with the consented Creyke Beck Battery Storage site (23/03926/STPLF)</p>
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		<p>not, explain your reasons; and</p> <p>b) Whether you are satisfied with the applicant's transport assessment [APP-138] and overall conclusions of ES Chapter 14 [APP-050].</p>	<p>with a total of 2,004 HGV movements anticipated across the construction phase (as set out in their CTMP).</p> <p>The Proposed Development will require access to the area within the Order Limits adjacent to Creyke Beck substation and it is anticipated that this will require approximately a peak of 10 HGVs and 10 LGVs per day for a short period whilst the cable grid connection works are undertaken. As set out in the Outline CTMP [REP1-060], it is proposed to restrict HGVs to routing on Harland Way and Northgate outside of local school drop-off and pick-up times (estimated to be between 09:00 and 15:00). This would therefore enable a 6 hour period in which HGV deliveries could occur, this would equate to an average of 2 HGVs per hour (4 HGV movements). The hourly HGV movements can be accommodated on Park Lane and the adjoining roads,</p>
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				particularly with consideration for the consented Creyke Beck Battery Storage site.
East Riding of Yorkshire Council	[REP1 - 094]	1.14.2 ES Chapter 15 [APP-051] and Appendix 15.2: Cumulative Landscape and Visual Impact Assessment [APP-144] cite the following 'existing and/ or approved' solar farms in consideration of cumulative effects: Kenley House Solar Farm (ERYC ref 22/01208/STPLF), Field House Solar Farm (ERYC ref 22/00824/STPLF), Creyke Beck Solar Farm (ERYC ref 21/02335/STPLF),	<i>[Response to a)]</i> Kenley House Solar Farm - 22/01208/STPLF Approved 18.11.2022 understood to have not yet been implemented. Field House Solar Farm - 22/00824/STPLF Approved 08.07.2022, the permission has been implemented with a lawful start made however understood to not yet be operational. Creyke Beck Solar Farm - 21/02335/STPLF Approved 06.01.2022, the permission has been implemented with a lawful start made however understood to not yet be operational. Turf Carr Solar Farm - 22/02775/STPLF Approved 29.05.2024 understood to have not yet been implemented. Carr Farm Solar Farm 22/03648/STPLF - Approved not yet implemented. <i>[Response to b)]</i> See response to (a) above	Drove Lane Solar Farm (25/02275/STPLF) has now been included in ES Volume 2, Chapter 15: Cumulative Effects [EN010157/APP/6.2 Revision 2] , ES Volume 3, Figure 15.1: Other Existing and or Approved Development [EN010157/APP/6.3 Revision 2] and ES Volume 4, Appendix 15.1: Long List of Other Existing and or Approved Development [EN010157/APP/6.4 Revision 2] . These documents have been updated and submitted at Deadline 2. The Applicant is committed to updating ES Volume 4, Appendix 15.2: Detailed Cumulative Landscape and Visual Impact Assessment [APP-144] to include Drove Lane Solar Farm. This document

		<p>Turf Carr Solar Farm (ERYC ref 22/02775/STPLF) and Carr Farm Solar Farm (ERYC ref 22/03648/STPLF).</p> <p>a) Please clarify whether these five solar farms are 'existing and approved' (implemented) or 'approved' (not yet implemented) (the ExA notes that entry 79 in ES Appendix 15.1 [APP-143] cites the status of Carr Farm Solar Farm as 'pending</p>	<p><i>[Response to c)]</i></p> <p>Carr Farm Solar Farm was allowed on appeal 18th July 2025 (APP/E2001/W/25/3360978).</p> <p><i>[Response to d)]</i></p> <p>The Council have not been involved in any pre-application discussion for this scheme. A planning application was validated 26/08/2025 for 'Installation of a solar farm comprising ground mounted solar PV panels with an installed capacity of 49.99MW AC including mounting system, transformer substations, underground cabling, fencing, CCTV, internal tracks and associated infrastructure, landscaping, biodiversity net gain and environmental enhancements for a temporary period of 40 years' reference number 25/02275/STPLF, site address Land East Of Kenley House Farm, Ferry Road, Wawne, HU7 5XY. ERYC have not had sufficient time to review the proposal and assess the cumulative impacts. As such, it is difficult to advise what the implications of this development</p>	<p>will be updated and resubmitted at Deadline 3.</p>
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		<p>consideration' whereas entry 14 in ES Chapter 15 Table 15-3 cites it as having been refused);</p> <p>b) If 'approved' and not yet implemented, please provide the date of approval of the solar farms and confirmation that approval (planning permissionc) If Carr Farm Solar Farm has been refused planning</p>	<p>for the cumulative assessment would be. Given the proximity to consented solar developments and the proposed Peartree Development subject to this DCO, there would be a cumulative landscape and visual impact. There is also the potential for a cumulative impact on biodiversity, loss of agricultural land, highway safety.</p> <p>To avoid any confusion with sites names and addresses, the site references used by the applicant relate to the following addresses.</p> <ul style="list-style-type: none"> • Kenley House Solar Farm - 22/01208/STPLF Land North East And West Of Carr Plantation, Ferry Road, Wawne, East Riding Of Yorkshire, HU7 5XZ • Field House Solar Farm - 22/00824/STPLF Construction of solar photovoltaic development including solar panels, installation of sub-station, medium voltage power stations, battery energy 	
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		<p>permission, please comment on any implications for its inclusion in the cumulative assessment (the ExA notes that some RRs (such as [RR-024]) suggest that the application is subject to an appeal); and) remains extant;</p> <p>d) Weel Solar Action Group [RR-024] refers to a possible</p>	<p>storage containers, erection of perimeter fence and CCTV poles with associated access and erection of temporary construction compound</p> <ul style="list-style-type: none"> • Creyke Beck Solar Farm - 21/02335/STPLF 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/infra-red 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 	
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		<p>application for 'Drove Lane Solar Farm' – please comment on any implications of this for the cumulative assessment.</p>	<p>grid infrastructure and associated works</p> <ul style="list-style-type: none"> • Turf Carr Solar Farm - 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 • Carr Farm Solar Farm 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 	
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<p>Environment Agency</p>	<p>[REP1 - 095]</p>	<p>1.2.7</p> <p>Requirements - Do you consider whether any further requirements are needed, such as relating to/ to secure the following: proposed permissive paths; proposed community accessible areas; biodiversity net gain; foul and surface water drainage; skills, employment and supply chain (noting NPS EN-1 paragraph 5.13.12); and pre-construction protected species surveys. Please justify your answer and provide preferred wording of any requirements</p>	<p>Regarding Biodiversity Net Gain, we defer to Natural England on this matter</p> <p>In our Relevant Representation [RR-005] we requested additional information about the proposed surface water drainage, particularly around the BESS and in relation to firewater containment. However, we require this to be submitted pre-consent, through the examination. Once we have reached agreement with the Applicant on their drainage and any mitigation, there may be a need to secure this via a requirement.</p> <p>We do not have any comments to make regarding the other aspects referred to in this question, as they fall outside of the scope of matters within our remit.</p>	<p>The management of normal and design rainfall on the proposed hardstanding is being discussed and agreed with the Beverley and North Holderness Internal Drainage Board and the East Riding of Yorkshire Council, as the Lead Local Flood Authority, given these are the relevant Risk Management Authorities with oversight of drainage issues. The mitigation of surface water quality from rainfall runoff is addressed in ES Volume 4 Appendix 5.5 Water Framework Directive Screening and Scoping (REP-031), with reference to the CIRIA SuDS Manual methodology.</p> <p>Regarding fire water management, additional information was provided at Deadline 1 in ES Volume 4 Appendix 5.5 Water Framework Directive Screening and Scoping (REP-031), which demonstrates that following a source-pathway-</p>
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		you consider necessary.		receptor method, the risk to the water environment from a BESS fire is low.
Environment Agency	[REP1 - 095]	1.2.43 R4, R6, R7, R8, R14 and R15 – should these requirements for a CEMP, SMP, BSMP, SWMP, OEMP and DEMP make provision for the local planning authority to consult any other parties as part of the approval process, or for any parties to be consulted by the undertaker prior to the submission of details to be discharged by the relevant planning authority (noting for example that the EA has requested [RR-005] to be a	The Environment Agency requests only to be a consultee as part of the approval process for Requirements 4, 6 and 8. However, we would always encourage applicants to share draft submissions for pre-application advice, prior to the submission of details to the local planning authority.	The Applicant can confirm that the Environment Agency was added as a consultee for requirements 4 and 8 in the draft DCO submitted at Deadline 1 Draft DCO [REP1-006] . The Applicant's Response to Relevant Representations [REP1-071] sets out the reasons why the Applicant does not consider it is necessary to add the Environment Agency to requirement 6.

		consultee on R4, R6 and R8)?		
Environment Agency	[REP1 - 095]	<p>1.3.31</p> <p>Protective provisions The applicant updated Schedule 12, Part 4 of the dDCO in respect of protective provisions for the EA. To the EA</p> <p>a) confirm whether you are content with the updated wording;</p> <p>b) if so, confirm whether this alleviates your concern regarding the disapplication of the legislative provisions</p>	<p>The draft protective provisions for the Environment Agency, provided to us by the Applicant, differ from our standard protective provisions wording. As such, we are required to check the proposed changes with our legal team. Our legal team are in the process of reviewing the protective provisions, but we are unfortunately unable to provide a response to these questions in time for Deadline 1. We will endeavour to provide this in time for Deadline 2.</p>	<p>This is noted by the Applicant.</p>

		<p>referred to in your RR [RR-005] (articles 10(1)(c) and (e) of the dDCO);</p> <p>c) if not, please explain why and provide your preferred wording; and</p> <p>d) notwithstanding any potential discussions on protective provisions, please set out any implications for the disapplication of the legislative provisions</p>		
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		<p>referred to in your RR. To the applicant and the EA</p> <p>e) clarify the relevance of 'sea defence' matters as referred to in paragraph 26(2), given the inland location of the proposed development; and</p> <p>f) the ExA notes the protective provisions for the EA at Schedule 14, Part 5 of the East Yorkshire Solar Farm Order 2025, for example.</p>		
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		Should agreement not be reached between yourselves on matters relating to protective provisions, would anything prevent the ExA from adopting these in any recommended DCO?		
Environment Agency	[REP1 - 095]	1.6.16 HRA Section 4.5 of the HRA [APP-145] scopes out degradation of habitats as a result of changes to water quality as a result of release of sediment from construction/	a) We defer to Natural England on this matter, as they are the competent authority for HRA through the planning process.	This is noted by the Applicant.

		<p>decommissioning activities (such as installation of culverts) and from spillage of chemicals or contaminants.</p> <p>To NE and the EA</p> <p>a) Please confirm whether you are content for the HRA to scope out this impact pathway.</p>		
Environment Agency	[REP1 - 095]	<p>1.9.8</p> <p>Updated FRA The applicant submitted an updated FRA at Procedural Deadline A [PDA-021 to PDA-028]. Please review this document and indicate, further to your RR [RR-005], whether you have</p>	<p>We are happy to see the inclusion of additional modelling within the updated FRA. Additionally, the Applicant has stated that all equipment will be set above the new design height for the area which has increased in depth with the addition of a freeboard. However, the Applicant has not provided the height of infrastructure in these areas in metres above Ordnance Datum. We</p>	<p>This comment is noted. Due to time constraints this will be addressed in the Deadline 3 submission by inclusion of a tabulated set of levels for each land area and associated drawings depicting flood levels where they vary within the various land areas.</p>

		any outstanding concerns.	request the Applicant specifies this height in mAOD within their FRA. For the avoidance of doubt, the submitted revisions relate to concerns raised in our Relevant Representation [RR-005] under ID EA14, and all other flood risk issues have yet to be addressed within the FRA.	
National Grid Electricity Transmission plc	[REP1 - 096]	1.3.30 Protective provisions NGET [RR-010] requests protective provisions reflective of those in the Awel y Môr (AyM) Offshore Wind Farm Order 2023. To NGET b) In the penultimate paragraph of your RR, you state that where the	b) Paragraph 30 (Acquisition of land) requires that the undertaker may not (a) acquire or take temporary possession of any land interest or apparatus or (b) appropriate, acquire, extinguish, interfere with or override any easement or other interest of National Grid otherwise than by agreement (such agreement not to be unreasonably withheld or delayed).	The Applicant is in discussions with NGET regarding bespoke protective provisions and once agreed these will be included in the draft DCO.

		<p>applicant seeks powers of compulsory acquisition over NGET's land or rights, the protective provisions must require that the applicant first obtains your consent. Please signpost to the paragraph in the made AyM DCO which makes provision for this.</p>		
Beverley Pasture Masters	[REP1 - 097]	<p>1.3.12 Figham Common Noting your RR [RR-024], the Design Parameters Document (under Work No.5) [APP-</p>	<p>With regard to the depth of cable being a minimum of 1.2m in the event that trenching is adopted, I would like to qualify that my clients would expect that this minimum depth is to the top of the protective tile located above the cabling. On this basis, and</p>	<p>As shown in the Indicative Layouts and Cross Section Plan [REP1-004] the AC cable depth is approximately 1.2 m with warning tape above to identify the presence of cables beneath.</p>

		150] sets out that any cable trenches would be a minimum of 1.2m in depth. Should trenching be adopted, would such a depth address your issues cited at points 5 and 6 of your RR? If not, please explain why.	<p>on the basis that other renewable energy schemes involving the laying of electric cables have adopted/are adopting this approach, the cable depth would be acceptable to my clients and addresses point 5 of the Relevant Representation.</p> <p>However, I am not qualified to confirm whether or not a minimum cable depth of 1.2m to the top of the protective tile would address the issues cited at point 6 of the Relevant Representation and my clients consider that this is a matter which RWE Renewables UK Solar and Storage Limited should provide comment on and confirm whether or not they consider that the cabling may have effects on the operation of computer controlled agricultural machinery, and if it does, to what extent and how can this be mitigated.</p>	
Beverley Pasture Masters	[REP1 - 097]	1.3.13 Figbam Common Noting your issues cited at points 7 to 9 of your RR [RR-024],	With regard to point 7 of the Relevant Representation, drainage is referred to briefly in the Outline Soil Management Plan at paragraphs 4.4.19 and 4.4.20. My clients will expect that the reinstatement of field	The Outline Soil Management Plan [REP1-062] was updated and resubmitted at Deadline 1 to rectify the 'driest months' error.

		<p>the applicant has provided an outline Soil Management Plan (oSMP) [APP-159] and an outline Landscape and Ecological Management Plan (oLEMP) [PDA-018], detailed versions of which would be secured through requirements 6 and 9 of the dDCO [PDA-012] respectively. Do the contents of these documents and the provisions of the dDCO address the issues that you highlight?</p>	<p>underdrainage systems will be an issue which will begin to be addressed well in advance of scheme commencement by suitably qualified drainage consultants carrying out surveys to identify any existing drainage systems and thereafter liaising with affected parties in order to discuss site specific issues and agree drainage reinstatement measures together with detailed plans. Therefore, my clients consider that further detail and engagement will be required in due course over and above the provision made in the Outline Soil Management Plan. This must be addressed in the detailed version of the Soil Management Plan.</p> <p>With regard to point 8 of the Relevant Representation, my clients have one key issue with reference to the treatment and reinstatement of soil as detailed in the Outline Soil Management Plan. In the 'Timing' section of this document at paragraphs 4.4.5, 4.4.8 and 4.4.11, it appears that RWE Renewables UK Solar and Storage Limited consider</p>	<p>Monitoring identified in Outline LEMP [EN010157/APP/7.5 Revision 4] has been increased up to every year for 5 years instead of the 3 years previously stated.</p>
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		<p>the period November to April to be the driest months of the year/the period when soils are least likely to be wet. My clients consider that soils are best handled in the period April to November and soil handling in the period November to April should be avoided. My clients opinion appears to be confirmed at paragraph 4.5.14 of the Outline Soil Management Plan. As with drainage reinstatement referred to above, my clients will expect liaison well in advance of scheme commencement regarding soil management in order to discuss site specific issues and agree a course of action. This must be addressed in the detailed version of the Soil Management Plan.</p> <p>With regard to point 9 of the Relevant Representation, my clients are pleased that Figham Pastures are specifically referred to in the Outline Landscape and Ecological Management Plan, however, at Table 20-1, it is stated that site visits will take place during years 1,2 and 3 after construction works within Figham Pastures LSW. My clients</p>	
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			<p>consider that this should be increased to years 1,2,3,4 and 5 after construction works within Figham Pastures LSW to monitor habitat reinstatement.</p> <p>Whether or not requirements 6 and 9 of the Draft Development Consent Order will address the issues highlighted in relation to Question 1.3.13 will be dependent on the contents of the detailed versions of the Soil Management Plan and Landscape and Ecological Management Plan.</p>	
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