RWE

Peartree Hill Solar Farm

Response to Deadline 4 Submissions

Application Document Ref: EN010157/APP/8.23
November 2025

Contents

1 Introduction

1.1.1 This report responds to submissions at Deadline 4 by each of the following Interested Parties at Section 2:

- East Riding of Yorkshire Council **[REP4-079] [REP4-080] [REP4-081] [REP4-082]**
- Environment Agency **[REP4-083]**
- Natural England **[REP4-084]**
- ERASE - East Riding Against Solar Expansion **[REP4-085]**
- Albanwise **[REP4-086]**
- George Swallow **[REP4-087]**

1.1.2 In addition to the above, responses to two additional submissions (**AS-021** and **AS-022**) accepted at the discretion of the Examining Authority on 20 October 2025 are set out in Section 3.

2 Response to Interested Parties

2.1.1 Sections 2.2 to 2.7 below provide the Applicant's response to all relevant interested parties submissions at Deadline 4.

2.2 East Riding of Yorkshire Council

2.2.1 Table 1 below provides the Applicant's response to key topics raised within the following submissions by East Riding of Yorkshire Council (ERYC) submitted at Deadline 4:

- Issue Specific Hearing 1 Action Points **[REP4-079]**
- Issue Specific Hearing 2 Action Points **[REP4-080]**
- Written summary of oral submission made at Issue Specific Hearing 1 **[REP4-081]**
- Written summary of oral submission made at Issue Specific Hearing 2 **[REP4-082]**

2.2.2 Within the ERYC Response Summary column in Table 1 below, the ExA's original statement / question contained is written in black, and ERYC's response as contained within each submission listed above is written in blue.

Table 1: Applicant's Response to points raised by East Riding of Yorkshire Council at Deadline 4

East Riding of Yorkshire Council Response Summary	Applicant Response
Issue Specific Hearing 1 Action Points **[REP4-079]**	
Article 14(1) – further to the applicant's clarification in ISH1 regarding maintenance, liaise around the acceptability of a 12-month period and provide your views on the matter. Correspondence has been received from the applicant advising that the maintenance period in Article 14 runs from 12 months after highway works and as part of the process in Article 14, the transfer back to a street authority must "be completed to the reasonable satisfaction	The maintenance period in Article 14 runs from 12 months after highway works are completed. The Applicant does not consider it is appropriate to extend the maintenance period to 12 months from the end of the entire construction period because as part of the process in Article 14, the transfer back to a street authority under Article 14 must "be completed to the reasonable satisfaction of the street authority". In the context of that requirement, it is not considered

East Riding of Yorkshire Council Response Summary	Applicant Response
of the street authority". ERYC however maintain their views that the maintenance of these street works by the applicant should extend beyond the construction phase. The transfer to the Local Highway Authority (LHA) would be made 12 months after the construction of the highway/street works and it is understood that it is at this point that the works would have to be agreed to be to the satisfaction of the LHA. There is however the potential of further use of these highway works during the construction phase after these have been transferred to the LHA and this would fall to the responsibility of the LHA to maintain. Given the period between the works becoming the responsibility of the LHA in which substantial damage could be caused and the submission of details of damages as required by the OCTMP, ERYC concerns remain with regards to the maintenance of these highway works.	proportionate to have ongoing liability for the duration of the construction period and the 12 month period is considered reasonable. Additionally, the Applicant has committed to remedial repairs of damages that can be reasonably attributed to the construction activities of the Proposed Development (see paragraph 7.3.3 of the **Outline Construction Traffic Management Plan (CTMP) [EN010157/APP/7.7 Revision 6]**) and it is not considered appropriate for the Applicant to remain liable for general traffic post-completion of the highways works. The Applicant notes Article 14 is highly precedented, with a 12-month period contained in the following recently made solar DCOs: The Byers Gill Solar Order 2025 (article 12), The East Yorkshire Solar Farm Order 2025 (article 10), The West Burton Solar Project Order 2025 (article 10), The Heckington Fen Solar Park Order 2025 (article 10). The Applicant does not consider the circumstances of this project are any different from those established precedents.
Schedule 2, Part 1, requirement 15 – confirm whether satisfied with the addition of Part 8 of the outline Operational Environmental Management Plan [REP3-030/ REP3-031] to alleviate concerns in respect of potential decommissioning timings. ERYC welcome the addition of Part 8 of the Outline Operational Environmental Management Plan (oOEMP) (REP3-30). ERYC however remain concerned about the timing and submission of the DEMP.	The Applicant has reflected on the time periods included in paragraph 8.1.2 of the **Outline Operational Environmental Management Plan (OEMP) [EN010157/APP/7.3 Revision 4]** and has amended the period to a further 12 months, totalling 24 months of continuous outage in line with EYRC's request. This is reflected in the version submitted at Deadline 5. As set out in the **Outline Decommissioning Environmental Management Plan (DEMP) [REP3-028]**,

East Riding of Yorkshire Council Response Summary	Applicant Response
ERYC are satisfied with Paragraph 8.1.1 of the oOEMP (REP3-30) There are concerns with paragraph 8.1.2 which allows a further 24 month period, totalling a continuous period of 36 months of outage (7.5% of the overall lifespan of the development) before a Decommissioning Environmental Management Plan (DEMP) must be submitted to the Local Planning Authority. There is then uncertainty as to what the proposed timescales of the decommissioning would be. The renewable energy benefits of the scheme would be lost during this time however any visual impact and other identified impacts would continue. ERYC would expect this information to be forthcoming more urgently at 12 months which potentially could refer to start of decommissioning at year 2-3, reducing the overall dormant use of the site. With regards to Paragraph 8.1.3, ERYC are concerned that if 8.1.2 is not applicable due to these circumstances there would be no submission of DEMP as so no plan regarding decommissioning on the basis of these circumstances.	the proposed timescales for decommissioning are 18-24 months from the beginning of decommissioning. The final DEMP will set out further detail as to the timing of decommissioning and must include the anticipated timescale in which decommissioning works should be completed (see requirement 15(3) of the **draft DCO [EN010157/APP/3.1 Revision 9])**. In relation to paragraph 8.1.3 of the **Outline OEMP [EN010157/APP/7.3 Revision 4]**, should the circumstances in paragraph 8.1.3 occur, the Applicant would be doing all it could to resume operations, as it is not in its interests to cease generating electricity for an extended period. However, the Applicant considers it is reasonable that it only be required to submit a DEMP early as a result of outages within its reasonable control.
Issue Specific Hearing 2 Action Points **[REP4-080]**	
ERYC to liaise with the applicant to clarify matters around the acceptability of all planting proposals as suggested in statement of common ground (SoCG) entry ERYC34 [REP3-043] and to liaise with the applicant around any further opportunities for planting or constraints as appropriate.	The Applicant discussed this matter with ERYC's landscape consultants in an online meeting on 28 October 2025 and in follow-up emails. As set out in the updated item ERYC34 of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, it was agreed with ERYC's landscape

East Riding of Yorkshire Council Response Summary	Applicant Response
Discussions were had with the Applicants Team and ERYC Landscape Consultants. SoCG will be amended where necessary.	consultants that in some of the suggested locations, additional planting is not practical or feasible, for example due to spatial constraints, to avoid creating a 'tunnelling effect', or to avoid reducing the efficacy of ecological mitigation areas or sterilising arable fields. However, it was agreed that new hedgerows would be planted on the eastern boundary of Field E1 and the western boundary of Field E2, and between the permissive path and the solar PV modules at the southern extent of Field D17 (as shown on Sheet 6 of **ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [EN010157/APP/6.3 Revision 5],** which is submitted at Deadline 5). As set out in item ERYC34 of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, which is submitted at Deadline 5, this matter has now been agreed.
Liaise on matters relating to the potential for effects from construction lighting and update the SoCG [REP3-043] as necessary. Discussions were had with the Applicants Team and ERYC Landscape Consultants. SoCG will be amended where necessary.	The Applicant discussed this matter with ERYC's landscape consultants in an online meeting on 28 October 2025. As set out in item ERYC36a of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, this matter has now been agreed.
Written summary of oral submission made at Issue Specific Hearing 1 **[REP4-081]**	
Part 3 and associated articles – It's acknowledged that the DCO states that there would be a 12-month maintenance period, but East Riding of Yorkshire Council's (ERYC) Highway Officer does not consider that to be long enough, given	See above response in relation to Article 14.

East Riding of Yorkshire Council Response Summary	Applicant Response
that the intensity of the highway would go beyond this12 month. As a minimum, the maintenance period, by the applicant, should cover the whole of the construction phase. In response to the applicants verbal clarification on this matter ERYC agreed to discuss the matter further and respond as an action point.	
Schedule 2, Part 1, requirement 15 update to the oOEMP - ERYC welcome the addition of section 8 to the oOEMP. The addition of this section looks like it could address ERYC's concerns however we would like to take it away as an action point in order to provide an informed response.	The Applicant notes this response.
Schedule 2, Part 1, requirement 17 - ERYC satisfied with the approach for requirement 17, should amendments be sought the necessary interest parties/statutory consultees would be consulted by ERYC as part of an application regardless as to whether the applicant had done so already, we would carry out our own consultation.	The Applicant notes this response.
Explanatory note – ERYC discussed the venue for documents to be displayed with the applicant in which it was advised that County Hall was not suitable as this building was not open to the public. As such ERYC suggested the use of the venue Beverley Library & Customer Service Centre, Champney House, Champney Rd, Beverley HU17 8HE, as this venue is open during normal working hours to members of the public. A number of Council services have recently relocated to this building which has resulted in reduced space and storage in this venue, as highlighted by the applicant.	The Applicant notes this response.

East Riding of Yorkshire Council Response Summary	Applicant Response
As an alternative, the full suite of documents could be stored at County Hall but this would involve members of the public wanting to view the documents having to make an appointment to view at an alternative venue, likely Beverley Library.	
Schedule 12 Protective Provisions – ERYC are no seeking any protective provisions.	The Applicant notes this response.
Consents, Licences and other agreements – ERYC are familiar with the process of district Level Licences for species such as Great Crested Newts in which ERYC's Ecologist has raised no concerns with this approach.	The Applicant notes this response.
East Riding of Yorkshire Council Local Plan – A direct link to the Local Plan will be provided by the next deadline as an action point. ERYC advise that there is conflict with parts of policies contained within the Local Plan however when read as a whole, the proposed development would accord with the Local Plan.	The Applicant notes this response.
Written summary of oral submission made at Issue Specific Hearing 2 **[REP4-082]**	
Highways	
There has been no change in ERYC's position on the use of Park Lane.	The **Outline CTMP [REP4-031]** that was submitted at Deadline 4 was updated to include a commitment that the Applicant will explore the use of an alternative access which is planned to be created off the A1079 in association with the Wanlass Beck substation. Following further discussions with ERYC via email on 29 and 30 October 2025, text has been added to the relevant

East Riding of Yorkshire Council Response Summary	Applicant Response
	commitment in the updated **Outline CTMP [EN010157/APP/7.7 Revision 6]**, which is submitted at Deadline 5, to state that "In the event that the Applicant is in a position to utilise the alternative access off the A1079, it would no longer seek use of Park Lane." The Applicant is continuing to liaise with ERYC on this matter.
The September 2020 traffic data is all that ERYC have available and that is why it is being relied upon, as there is no alternative. It is acknowledged that this could have changed in this time however we do not have data to support this.	Traffic data from September 2020 is unreliable due to restrictions in place at the time in response to the COVID-19 pandemic. Notwithstanding the above, regardless of the existing traffic flows on Park Lane the Applicant considers that the peak traffic generation from the Proposed Development is a low number which would have a negligible impact, particularly when compared to the previous use of Park Lane for construction access to the scheme at Creyke Beck. Additionally, Park Lane will only be required for a short period whilst the grid connection cable works are undertaken.
Unable to explain why the vehicle movements associated with a consented battery storage scheme at Creyke Beck were considered acceptable at that time. There have however been a number of complaints and road safety matters as a result of the construction of this development. The construction of this development is now complete. There have been a number of incidents during the time of the construction phase of this development however it is difficult to understand if it was specifically related to that development.	The Applicant considers that the impact of the Proposed Development during the construction phase will be negligible on the basis of the low peak of daily vehicles using Park Lane and the short term nature of the construction access requirements. With regards to safety incidents on Park Lane, the Applicant has reviewed the most recent 5 years of personal injury collision data which includes January 2019 to December 2023. Additionally, the first 6 months of 2024 data is available although it is not yet validated; this has been included in the review (therefore providing 5 and a half years of data). The collision

East Riding of Yorkshire Council Response Summary	Applicant Response
	data shows that there were 4 collisions reported on Park Lane, of which 3 resulted in 'slight' casualties and 1 in a 'serious' casualty. One of the slight collisions involved two cars and occurred in July 2019 at 9:30am at the junction with Northgate. One of the slight collisions involved a car and an e-scooter. It occurred in April 2024 at 7:30am and was near to the junction with Northgate. The other slight collision involved a car and a cyclist and occurred in September 2020 at 4pm to the west of the junction with Horsley Avenue. The serious collision involved a car and motorcyclist and occurred in November 2023 at 9:30am to the north of the junction with Grange Drive. None of the collisions involved an HGV. Overall, the frequency of collisions is low at less than 1 per year on average. Additionally, all collisions occurred during peak periods of the day, at which time the construction vehicles generated by the Proposed Development would not be travelling on Park Lane. It is proposed to safely manage construction traffic on Park Lane through measures outlined in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**, such as the use of bankspeople, advanced warning signage and giving priority to other road users. On this basis, it is considered that there are no existing highway safety issues on Park Lane and that any potential issues would be mitigated through the provision

East Riding of Yorkshire Council Response Summary	Applicant Response
	of proposed safety and management measures.
The Council consider the use of Park Lane for the proposed development would have an unacceptable impact on highway safety.	See above response.
The restricted hours for use of Park Lane between 9:30am and 3:00pm would mitigate the impact to some extent however would not fully alleviate our concerns.	The **Outline CTMP [EN010157/APP/7.7 Revision 6]** sets out the proposed restrictions on construction HGV times which avoid routing during the network peak hours across the Site and to avoid school drop off and pick up times (exact times subject to discussions with local schools and to be confirmed in the CTMP). The purpose of these restrictions is to ensure that construction HGVs are travelling on the local road network at times when there are lower numbers of road users (including vehicles and non-motorised users). As is outlined above, there are additional measures put in place which, in combination with the time restrictions, are considered by the Applicant to suitably mitigate any highway concerns.
Mitigation suggested by ERYC would be to use an alternative access, such as those pending planning permission from the A1079, should Park Lane be accepted for use for the ExA, additional passing places, temporary traffic Regulation orders and parking restrictions should be considered	The section of Park Lane between Northgate and the junction with Badgers Wood (to the north of which Park Lane becomes an unmarked track) has a carriageway width which ranges from approximately 5.8m to 7.2m, the minimum required width for two HGVs to pass is 5.5m (as set out in the Department for Transport's Manual for Streets). Parking along this section of Park Lane is sporadic and the width of the road enables plenty of opportunities for vehicles to give way and pass.

East Riding of Yorkshire Council Response Summary	Applicant Response
	To the north of Badgers Wood, the track narrows to generally 4m in width and there are approximately 9 existing passing places along the remaining section of Park Lane up to the access to Creyke Beck substation, at which point the track widens to approximately 6.5m. On this basis, it is considered that no further passing places or measures above and beyond that which is already proposed are required. Additionally, as is outlined above, a number of management measures are proposed which are considered to suitably manage the low number of construction vehicles in a safe and efficient manner. The **Outline CTMP [EN010157/APP/7.7 Revision 6]** includes a commitment that the Applicant will explore the use of the alternative access which is planned to be created off the A1079 in association with the Wanlass Beck substation and that in the event that the Applicant is in a position to utilise the alternative access off the A1079, it would no longer seek use of Park Lane. The Applicant is continuing to liaise with ERYC on this matter.
Confirmation that with the exception of the consented Hornsea Four DCO which is understood to have been shelved, the three planning applications which all involve the same access from the A1079 (being the access included in the Hornsea Four DCO) are all still pending decisions in which it is likely to be another few weeks before these are determined.	The Applicant notes this response.
Confirm that there are currently no restriction on HGV's along Park Lane	The Applicant notes this response.

East Riding of Yorkshire Council Response Summary	Applicant Response
There have been 17 recorded injury collisions along the route of Park Lane, resulting in 18 casualties. 3 serious, 15 slight. Of these, 5 were motorcycle riders, 4 cycle riders and 3 pedestrians. So the majority vulnerable road users.	The Applicant understands that the 17 recorded injury collisions being referred to form part of a road safety report undertaken by ERYC's principal safety engineer. ERYC stated at the Issue Specific Hearing that they would provide the data and road safety report at a later date, which the Applicant would be happy to review and provide a response to**. Appendix 1: Road Safety Data 2019 to Mid 2024 (Park Lane Northgate Harland Way)** to this document includes Park Lane, Northgate and Harland Way Collision Data from January 2019 to mid-2024. Notwithstanding the above, the latest data available on the official database, the Department for Transport's STATS19 data, has been interrogated. This data includes the 5 year period between January 2019 and December 2023, plus a 6 month period of unvalidated 2024 (January to June) data. The data indicate that there have been 17 personal injury collisions recorded on the route from the A164 roundabout junction with Harland Way to the Site along Harland Way, Northgate and Park Lane over the 5 and a half-year period. Twelve of the 17 collisions occurred on Harland Way, an average of 2.2 collisions per year. Nine of the collisions occurred across the length of Harland Way in various locations. The largest group of collisions occurred at the access to Cottingham High School, where three collisions were recorded. Three of the 17 collisions occurred on Northgate, including two at the junction

East Riding of Yorkshire Council Response Summary	Applicant Response
	with Park Lane. This equates to an average of 0.55 collisions per year. The remaining two collisions occurred on Park Lane, an average of 0.36 collisions every year. Of the 17 collisions which occurred, five collisions occurred either before 9am or after 4pm, when construction HGV traffic related to the Proposed Development would be restricted, as set out in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**. Additionally, the Outline CTMP proposes additional time restrictions for construction HGVs during school drop off and pick up times. The actual times are to be confirmed in the CTMP following discussions with the local schools. It is noted that 4 of the 17 collisions occurred between 3pm and 3:10pm. Additionally, the largest group of collisions is on Harland Way adjacent to the access to Collingham High School, two of these collisions occurred around 9am and 3pm which would be within school drop off and pick up times so appear to be school-related. The other collision occurred in the mid-afternoon in August (outside of school term time). Other than the group identified, the remaining collisions occurred sporadically so are not attributed to a specific collision pattern or location. The Applicant takes road safety extremely seriously and is mitigating against the potential for road safety issues by committing to restrict construction HGV traffic to avoid school peak drop off and pick up times, in addition to restrictions to between 9am and 4pm. Additionally, a number of measures are outlined in the

East Riding of Yorkshire Council Response Summary	Applicant Response
	Outline CTMP **[EN010157/APP/7.7 Revision 6]**, such as the provision of advanced warning signage and bankspeople. The restrictions and management measures proposed are considered to be satisfactory to mitigate against highway safety concerns.
Noise and Vibration	
Confirmed that ERYC Environmental Health Officer is satisfied with the additional/amended information and the explanation provided by the applicant's team.	The Applicant notes this response.
Land, Soil and Groundwater	
Lead Local Flood Authority confirmed they were satisfied with the Flood Risk Assessment.	The Applicant notes this response.
Health and Safety	
No comments.	
Landscape and Visual	
Concerns relate to weather temporary lighting will be required during construction. Acknowledge that working hours would not exceed 7pm however in the winter months there is darkness from 4pm. Therefore, any lighting required during this period should be considered, including vehicle movements. Whilst the effect in isolation may be of minor, we must be conscious of all the landscape and visual effects aggregated, including nighttime ones.	The Applicant discussed this matter with ERYC's landscape consultants in an online meeting on 28 October 2025. As set out in item ERYC36a of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, this matter has now been agreed.

East Riding of Yorkshire Council Response Summary	Applicant Response
Question if earliest feasible apply to all planting or to specific areas. ERYC were satisfied with the applicant's response.	The Applicant notes this response. Agreement on the matter of planting sequencing is captured in item ERYC36c of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**.
A review of the SoCG is required to provide clarity/confirmation on the matter of planting as ERYC maintain the view that further planting is required in places.	The Applicant discussed this matter with ERYC's landscape consultants in an online meeting on 28 October 2025 and in follow-up emails. As set out in the updated item ERYC34 of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, it was agreed with ERYC's landscape consultants that in some of the suggested locations, additional planting is not practical or feasible, for example due to spatial constraints, to avoid creating a 'tunnelling effect', or to avoid reducing the efficacy of ecological mitigation areas or sterilising arable fields. However, it was agreed that new hedgerows would be planted on the eastern boundary of Field E1 and the western boundary of Field E2, and between the permissive path and the solar PV modules at the southern extent of Field D17 (as shown on Sheet 6 of **ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [EN010157/APP/6.3 Revision 5]**, which is submitted at Deadline 5). As set out in item ERYC34 of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, which is submitted at Deadline 5, this matter has now been agreed.

East Riding of Yorkshire Council Response Summary	Applicant Response
Heritage	
Church of St Margaret – The level of harm on this asset identified by ERYC is low, which would be further mitigated by appropriate planting and landscaping. There is therefore a minor difference from the conclusions of the applicant which identified no harm. ERYC are however satisfied that no further assessment is necessary to be undertaken.	The Applicant notes this response. The overall agreement between the Applicant and ERYC that the Proposed Development will have no significant effects on the significance of the Church of St. Margaret is captured in item ERYC06a of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**.
On 20th October the matter on the passing place opposite Meaux Abbey Farm within the SoCG was agreed by ERYC.	The Applicant notes this response. This agreement is captured in item ERYC06 of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**.
Site of the Meaux Cistercian Abbey – It is appreciated that the increased landscape buffer at the northern edge of area F and the existing hedgerows, will considerably minimise the impact. Whilst ERYC do not fully agree with the Applicants conclusion that there would be no change, no effect, and no impact on the significance, we would place this as being a low level of change, a low level of effect and a low, less than substantial impact on its significance.	The Applicant notes this response. The overall agreement between the Applicant and ERYC that the Proposed Development will have no significant residual effects on the Site of Meaux Cistercian Abbey is captured in item ERYC06c of the updated **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, which is submitted at Deadline 5.
Wawne Grange – The level of harm caused would be less than substantial, falling at the low to mid-point of the spectrum of impact covered by Paragraph 215 of the NPPF. We therefore also generally agree with the conclusions drawn by the applicant's heritage specialist in table 9-8 of the ES on Cultural Heritage, although we would place the level of impact as being marginally higher.	The Applicant notes this response. The overall agreement between the Applicant and ERYC that the Proposed Development will have no significant residual effects on Wawne Grange is captured in item ERYC05 of the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**.

East Riding of Yorkshire Council Response Summary	Applicant Response
Biodiversity	
With regards to Category B trees, the disagreement between ERYC and the application is mostly based on the fact that it has not been discussed following the submission of the local impact report. ERYC accept that quite a lot of the category B trees are shrub groups, and so that lessens the impact because the mitigation planting will be functioning faster than if it were for mature tree groups. There is commitment to crown lifting and pruning rather than removal where possible which is welcomed. A slight update to the impact assessment at 4.3 of the arboriculture report would be appreciated. Tree cover in the Authority area is low given the vast expanses of arable, so trees do form a very important landscape feature and ecological feature as a whole, where we have them in the East Riding.	In an email dated 11 November 2025, ERYC confirmed that based on the amendments to the updated **ES Volume 4, Appendix 7.11: Arboricultural Impact Assessment [REP4-023]** that was submitted at Deadline 4, it was satisfied that the Proposed Development has minimised, insofar as possible, the losses of category A and B trees, groups and hedgerows and where removals are planned, these are unavoidable. This agreement has been captured in item ERYC24 of the updated **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, which is submitted at Deadline 5.
Other Matters	
There is slight conflict with the certain parts of policies of the Local Plan however ERYC maintain that when read as a whole, the development is compliant with the local plan.	The Applicant notes this. This matter is recorded in the **Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]**, which is submitted at Deadline 5.

2.3 Environment Agency

2.3.1 Table 2 below provides the Applicant's response to key topics raised within the Environment Agency's **Comments on the deadline 3 submissions [REP4-083]** document submitted at Deadline 4.

Table 2: Applicant's Response to points raised by the Environment Agency at Deadline 4

Environment Agency Response Summary	Applicant Response
Outstanding Issues	
EA16 – Surface Water Drainage Strategy This issue is listed as EA18 in the Applicant's Statement of Common Ground with the EA. In the Applicant's Development Consent Order documentation and at Issue Specific Hearing 2 (ISH2), the Applicant set out their approach to the Battery Energy Storage System (BESS) units on site and the reasons why they consider that no sealed drainage is provided for the BESS units. They have referred to their source-pathway receptor approach to assessment, which includes: • Dispersal of BESS units across the site The Applicant's view is that the risk of a fire occurring is very low because the units are well dispersed across the	Risk of fire The risk of a BESS fire in the UK can be determined through recourse to the Department for Energy Security and Net Zero (DESNZ) Renewable Energy Planning Database (REPD). The promulgates on a quarterly basis the REPD. From the Jul 2025 report this data has been filtered for BESS installations and the following deduced: 1. Listed in the REPD, there are: • 127 operational BESS sites. • 8 BESS sites have been decommissioned. • 102 BESS sites are under construction.

site, reducing the risk of thermal runaway. In addition, in the event of a fire, the Applicant proposes to use a non-water-based fire suppression system.

- Watertight Containers and Gravel Bases

The Applicant claims that the escape of pollutants from the battery units is also very low, because they are designed to be watertight. In theory, this means that water cannot enter the unit and any contaminants within cannot spill out. The Applicant also notes that they have included additional mitigation in the form of gravel bases, geotextile membranes and sand layers to absorb any pollutants that might spill out and therefore concludes that the pathway from source to receptor is very limited.

- Sensitivity of Receptor

The Applicant concludes within their Water Framework Directive Screening and Scoping Report [REP1-030] that the principal aquifer beneath the site is not sensitive.

Environment Agency Position

A significant number of BESS units are proposed within the Source Protection Zone (SPZ) 3 area, some of which are close to the SPZ2. Although the risk of a fire may be low, the consequences of pollutants reaching the groundwater

- 903 BESS sites have planning consent and are awaiting construction.

2. There have currently been only three reported BESS fires in the UK that have required FRS attendance, these occurred at Carnegie Road, Liverpool in Sept 2020, Cirencester March 2025 and East Tilbury in Feb 2025, the cause of the latter is yet to be declared.
3. The current operational UK BESS installations have accumulated an estimated 710 years of operation, this equates to 240,000 days or 6.2 million hours of operation.
4. Given the 6.2 million hours of operation, this extrapolates out to approx. 4.8E-07 (0.00000048) failures per hour (fph) for BESS in the UK.
5. To date, there have been no recorded fatalities, third-party injuries, or environmental damage resulting from BESS incidents in the UK. Reflecting on the HSE R2P2 guidance, an individual risk of death of 1.0E-05 per year (or 1 in 100,000 annually) is considered broadly acceptable for workers. Based on this framework, the risk associated with BESS operation is assessed to be within the broadly acceptable range and compliant with the HSE ALARP principles.

In its response, the EA cite the absence In Table 1 of the **Outline Battery Safety Management Plan (BSMP)**

could cause largescale pollution of a protected drinking water area. The Planning Practice Guidance on Renewable and Low Carbon Energy (paragraph 034; Reference ID: 5-034-20230814) refers Applicants to guidance produced by the National Fire Chiefs Council (NFCC)[1] when preparing their applications. In the submitted Outline Battery Safety Management Plan (oBSMP) [REP1-058], the Applicant references this guidance, and we note that Table 1 of Appendix A to the oBSMP demonstrates how the recommendations in the NFCC guidance have been complied with. The final page of the referenced NFCC guidance states that "suitable environmental protection measures should be provided. This should include systems for containing and managing water runoff." This recommendation has not been included in Table 1 of the oBSMP. As the only guidance currently available on this matter indicates that firewater should be contained and managed and given the significant gaps in the Applicant's justification for such an approach, which fails to demonstrate how contaminated firewater would be effectively managed, we consider it appropriate to require a sealed drainage system in line with the best available guidance. We have summarised our concerns around the assumptions that have been made below:	**[EN010157/APP/7.6 Revision 3]**, of the recommendation in NFCC Planning Guidance regarding "suitable environmental protection measures should be provided. This should include systems for containing and managing water runoff." Given that direct application of water onto a BESS fire is not advocated, or indeed an approach used by the FRS, containment of firefighting water is not a requirement, as the applied water will not be contaminated through direct interaction with the BESS fire. In its response, the EA only refers to dispersed BESS units as the sole method of reducing the chances for fires to occur. The **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** and **Outline BSMP [EN010157/APP/7.6 Revision 3]** describe multiple methods to minimise the risk of ignition, such as, but not limited to, the following: • Following the HSE's hierarchy of control; • Use of a multi-level battery management system (BMS) <u>Loss of integrity of the containers and rainwater</u> Deflagration panels can be fitted to the roof or the sides of a BESS unit, the location varies from model to model. In some instances, the Ventilation Louvres double up as the deflagration ports and therefore the chance for rain to

Risk of fire While we appreciate that the approach of dispersing units across the site lowers the risk of a fire, particularly one that spreads across multiple units, it does not remove the risk of fire entirely. This means that there remains a potential source of pollution. Loss of integrity of the containers and rainwater According to the Applicant's oBSMP [REP1-058], the BESS containers will be equipped with deflagration panels that are designed to direct the force of an explosion upwards if gases build up inside the container. If it is raining during a fire, it is not clear how rainwater would be prevented from entering the container. If rainwater enters a damaged BESS container, it could interact with residual chemicals, potentially mobilising contaminants, such as hydrofluoric acid. We have concerns that in the event of a fire, the integrity of the container may not be maintained, and rainwater could enter exposed containers during the period of time it takes to remove or cover burnt out containers At ISH2, the Applicant stated that if the fire was so significant that it damaged the sides of the unit then it is likely that the fire would be so hot that any water would vaporise, but this would not necessarily be the case if rain fell in the immediate aftermath of the fire.	enter the BESS unit would be reduced. Rainwater entering the BESS will be contained by the BESS enclosure and given that the deflagration vent has activated it is deemed unlikely that the BESS outer casing will have been compromised and therefore rainfall, together with spilt battery material, would remain sealed. In the event the fire is so intense it burns through the casing, the heat will vaporise and dissipate the rainwater entering the BESS. As explained above, it is unlikely that the BESS casing would be compromised. However, if rain were to fall on a BESS unit and casing that was compromised then this is where the additional mitigation would be activated. The gravel base, sand layer and geotextile wrap would absorb contaminants. The treatment of the site post-event would very much depend on the nature and severity of the event and its impact. In essence, however, at this stage it is envisaged that damaged or burnt materials would be fully removed and disposed of appropriately. This would be completed with care so as to negate the chance for mobilisation of contaminants to the ground. For example, the gravel could be removed by machine, but sand layer left in situ or removed by hand if it were compromised. The clean up protocol would include a regime for testing the material for contaminants, where possible. For example, the sand layer that would remain in situ could be tested and

Paragraph 3.5.36 states that "in the event of a fire, it is highly likely that contaminants discharged would settle locally within the battery unit and not be released externally." However, the Applicant has not explained how the likelihood of the container retaining the contaminants has been determined. We require further information about how rainwater will be prevented from coming into contact with contaminants if a BESS unit catches fire and burns out. It is not clear how, following a BESS fire, the burnt container and any contaminated gravel/drainage material will be handled to prevent the contamination being remobilised into the groundwater environment. Similarly, at the end of the battery operating life or in the event of battery fault / failure how batteries will be isolated from the BESS containers and stored in such as a way so that they do not pose another fire/drainage water contamination risk. The oBSMP [REP1-058] does not currently provide any information about management of end-of-life or otherwise damaged batteries. <u>Drainage from cooling adjacent BESS units</u> Section 3.5.17 of the Environmental Statement, Chapter 3 Proposed Development Description [REP2-075], states that four BESS containers will be sited together in each 'hybrid pack' compound, with a spacing of 3m between containers. The intercontainer space is a very small area in which to attempt to control the spread of water used for	carefully removed if contamination is present. The protocol could also include testing surrounding ground for contamination and appropriate removal as required. Removed material would be placed directly into wagons or similar to be carted away and treated as contaminated waste. This would remove the need to store compromised material on the ground. If ground storage is required, this would be on an impermeable and robust lining. Likewise, the removal/replacement of batteries at the end of their serviceable life would use best practice advice and guidance available at that time (noting replacement is unlikely in the first 20 years of operation) to minimise the risk of damage. <u>Drainage from cooling adjacent BESS units</u> The water used to cool adjacent infrastructure is directed and managed by the FRS, the volume being dictated by the nature of the incident and is anticipated to be dynamic as the situation unfolds. The volume of water required is also subject to the prevailing weather conditions. Firewater and rainwater entering the BESS via any activated deflagration ports has been addressed in the response above. As reported in Section 3.5 of the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]**, which references the CIRIA SuDS Manual, the presence of the gravel bases

boundary cooling. Rainwater and water used for plume suppression or boundary cooling could enter fire damaged BESS units, particularly if deflagration venting has been used, as shown in Plate 1-4 of the oBSMP [REP1-058], and could mobilise contamination. The Applicant has not demonstrated how drainage of water from the cooling of adjacent units will be managed to prevent the migration of contaminants into the underlying aquifers. <u>Applicability of the existing conceptual site model</u> The Applicant has repeatedly pointed to their conceptual site model and Preliminary Risk Assessment. However, these relate to potential risks from existing contamination on the site, not from the introduction of new pollutants. <u>Effectiveness of gravel and sand to retard all contaminants</u> The Applicant is relying on guidance from Edinburgh University to demonstrate that the gravel and sand bases of the BESS units would effectively neutralise any hydrofluoric acid. The guidance presented relates to the neutralisation of hydrofluoric acid in laboratory conditions using pure calcium carbonate, presumably in the presence of laboratory grade HVAC systems. The Applicant has not demonstrated how this laboratory technique is applicable at scale in the natural environment. Paragraph 3.4.12 of the Water Framework Directive (WFD) Screening and Scoping Report [REP1-030] mentions potential	beneath the BESS units would be an effective measure to cleanse water of suspended solids, metals and hydrocarbons, which would be likely to be released following BESS fire. For example, the SuDS Manual shows that an infiltration trench (the closest equivalent to the gravel bases, as reported in **ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 4]**) would cleanse water draining from low traffic roads and car parking. It should be noted that over time, car parking or access roads would likely produce a higher pollutant load across its lifetime than the residue from battery fire. To date there have been no BESS fires in the UK in which the firefighting water runoff that has resulted in an environmental impact. The firefighting water runoff at the Carnegie Road, Liverpool (2020) incident was analysed for pH and found to be slightly alkaline. This was initially put down to the lime-based gravel at the site, however subsequent assessment of the firefighting water within the BESS unit itself concluded that the water was alkaline. As such the laboratory tests conducted at Edinburgh are somewhat misleading in what occurs. The presence of an alkaline solution at the Carnegie Road incident is most likely a result of the direct application of water onto the burning cells, in which the lithium component will have been released. This direct application of water is not the current modus operandi

contaminants other than hydrofluoric acid that could be released, but no explanation has been provided for how they will be retarded in the gravel-based infiltration drainage arrangement. Conceptual understanding of the site Paragraph 3.4.26 of the WFD Screening and Scoping Report [REP1-030] states that "The soils on Site are understood to be relatively deep and of low permeability across much of the Site. In addition, superficial deposits are present between the WFD groundwater body and the surface. The geology would therefore naturally restrict the pathway for the entry of contaminants from a battery fire to the groundwater body. The Applicant has not demonstrated this conceptually or provided an explanation for how the superficial deposits will restrict the flow of contaminants to the groundwater in the Principal aquifer and Source Protection Zone 3 that underlie most the site. The site is primarily underlain by superficial Alluvium and Glaciofluvial deposits overlying the Principal aquifer, which may incorporate laterally or vertically connected granular soils. Paragraph 3.4.25 of the WFD Screening and Scoping Report [REP1-030] concludes that it is possible that pollutants could reach surface water bodies. Composition of the suppressant	adopted by the FRS, where boundary cooling and containment will be the most likely approach. As such any interaction with emitted elements of the fire will be limited to the plume crossing into the path of the water being applied. As such the level of gaseous HF being converted to aqueous HF will be minimal. Added to this the limited concentration and quantity of HF will be diluted and dispersed as a result of the firefighting activity and volume of water applied. Site Conceptual Model and conceptual understanding of the site The EA's comments are noted by the Applicant. The **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** references the model once but does also reference that the Water Framework Directive (WFD) assessment is based on a separate, but related, source-pathway-receptor model, which does focus on the potential for new contaminants to enter the ground. Effectiveness of gravel and sand to retard all contaminants The **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]**refers to specifying limestone in the gravel base to neutralise hydrofluoric acid. Paragraph 3.4.17 of the **ES**

Composition of the suppressant The Applicant has been unable to provide specific details of the non-water-based suppression system, including Material Safety Data Sheets, for the proposed aerosol or gas-based suppressants (referenced in Section 5.7.1 of the oBSMP [REP1-058]), so the risks posed by these are unknown Efficacy of the suppressant Paragraph 5.4.2 of the WFD Screening and Scoping Report [REP1-030] appears to infer that the application of a gaseous suppression system would suppress a thermal runaway fire effectively compared with a water suppression system, which is contradicted by the National Fire Chiefs Council (NFCC) new draft guidance document[2] which was consulted on in 2024. Section 13 of the draft NFCC guidance states: *"The suppression system, regardless of type, will have little effect on a thermal event within the battery cell. Any effectiveness they have will be in preventing cell to cell propagation, rather than fully extinguishing a fire in the cell."* We note that the draft guidance also states the following regarding the design of suppression systems and the use of inert gaseous suppression systems specifically: *"The type of suppression system should be dictated by the battery technology used within the BESS. For example, gas should not be used to compensate for the lack of*	**Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** does acknowledge the references to Edinburgh University and Honeywell factsheets refer to the use of concentrated hydrofluoric acid (HF). If HF were formed during a battery fire, it would naturally be diluted as it needs water to be generated from hydrogen fluoride gas. Therefore, despite the potentially non-homogenous nature of the calcium carbonate within the limestone, it would be sufficient to neutralise the HF, as evidenced by the Carnegie Road Significant Incident Report and reflected in paragraphs 3.4.17 and 3.4.18 in the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]**. The three-layered filtration (gravel base, sand and geotextile membrane) approach is proposed to provide a variety of materials, pore spacing and surface media to maximise the rate of absorption. For example, engineered sand can be coated with compounds such as manganese oxide to enhance its ability to absorb toxic metals such as nickel and copper (according to https://pubs.rsc.org/en/content/articlelanding/2020/ew/c9ew00781d#!divAbstract) and lithium, which can be present in batteries. Composition and Efficacy of the suppressant

availability and accessibility of water supplies at a particular site *Gaseous suppression systems have no cooling capability and given that thermal runaway will continue in the absence of oxygen, they will not suppress thermal runaway. Their use, however, has been effective in dealing with flaming combustion within enclosed spaces, which may be more appropriate for some ancillary electrical systems* *The design and selection of a gaseous suppression system should be specific to the use of the BESS in question and designed by a competent person. Whilst a suppression system may extinguish the flaming combustion within a BESS, it could create a further complexity for firefighters in the form of a developing vapour cloud, as occurred in the McMicken incident[1].” [1] Surprise, Arizona 2019* The oBSMP [REP1-058] should ensure that the rationale for suppression system selection is suitably justified. It should be confirmed that the design and selection of the proposed gaseous suppression system would be designed by a competent person specific to each individual BESS compound. <u>Effectiveness of the drainage system in preventing contamination</u>	As mentioned in the ISH2 hearing and in a meeting with the EA on the 6th November 2025, the type and composition of the fire suppression system is subject to the battery procurement process which cannot be pre-determined at this stage. However, the Applicant can commit to specifying that the selected suppression system would use non-PFAS materials to negate the system releasing contaminants. The **Outline BSMP [EN010157/APP/7.6 Revision 3]** has been updated at Deadline 5 to reflect this commitment. The EA quote the National Fire Chiefs Council (NFCC) new draft guidance document[2]. The final version is yet to be published and the NFCC confirm that while the publication of the revised NFCC guidance is awaited, the 2023 version of the BESS guidance remains current. The EA claims that there is an inconsistency between the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** and the draft NFCC guidance regarding the use of a gaseous or non-PFAS suppression system. For clarity, paragraph 3.5.40 of the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** refers to the comparison of an internal water-based suppression against an internal gaseous or non-PFAS based suppression. The paragraph does not intend to imply that an internal suppression system would replace the need for external suppression spraying.

The description of the gravel bases in paragraphs 3.5.41 – 3.5.44, and in paragraph 3.5.48, are inconsistent with Table 1 of the oBSMP [REP1-058] which references concrete plinths (presumably impermeable) and the area between BESS units being both impermeable and gravel covered (bottom of page 21). The Applicant should provide further clarity on the proposed surfacing and drainage arrangements at the BESS, and provide evidence to demonstrate how the proposed gravel, sand and permeable geotextile drainage arrangement will retard the transportation of contaminants to groundwater. This should account for the potential for water to be applied for boundary cooling purposes, flooding events, and rainwater management during and following a BESS fire. <u>Understanding of BESS contaminants</u> Paragraph 3.5.47 WFD Screening and Scoping Report [REP1-030] states that "Evidence from previous BESS fires demonstrates that no contaminants were recorded, or that they were within safe or background limits." However, this has not been suitably evidenced. This section refers to a report by the US Environmental Protection Agency [Ref WFD-13], which is a news article about air monitoring following a BESS fire in the United States. It does not contain information about contaminants that are leachable to the groundwater environment. This conclusion notably differs from that in a 2024 paper[3] , which concluded that	<u>Effectiveness of the Drainage System</u> To clarify, the BESS units would be raised on concrete pads or plinths, as reported in paragraph 3.4.4 of **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]**. These would not be a solid slab beneath the unit. The Table 1 in the **Outline BSMP [EN010157/APP/7.6 Revision 3]** has been updated at Deadline 5 to resolve the inconsistency referred to by the EA. As reported above, gravel is effective at removing carbon-based pollutants as well as metals mobilised by water. The proposed sand layer would add an additional layer of contaminant absorption, alongside the geotextile wrap. Again, this is reported through the Ciria SuDS Manual (2015), for example Annex 2. <u>Understanding of BESS Contaminants</u> It is acknowledged that the reference to the Moss Landing fire is a news article. However, this is sourced from the USEPA official website and is therefore acceptable as a reasonable source of information. The EA states that there is no direct correlation between airborne contaminants and those that can enter the ground. This is accepted but the point the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening**

runoff water from large-scale lithium-ion battery fire incidents could be potentially hazardous to the environment. Assessment of receptor sensitivity Paragraph 3.5.49 of the WFD Screening and Scoping Report [REP1-030] concludes that "The pathway to the receptors is limited by low permeability or deep soils as well as embedded mitigation. Finally, the receptors are not assessed as being sensitive." We are not clear how the Applicant has arrived at the conclusion that the Flamborough Chalk Principal aquifer and Source Protection Zone 3 are not sensitive receptors. Table 10.6 of the Environmental Statement, Chapter 10 Land Soil and Groundwater [REP2-077] details the receptor importance for groundwater. Principal aquifers are highly important, and SPZ3s are of medium importance. This is at odds with the sensitivity attributed in the WFD report [1] "Grid Scale Battery Energy Storage System Planning – Guidance for FRS" [2] Draft Guidance on Grid Scale Battery Energy Storage Systems (BESS) - NFCC [3] 'Assessment of Run-Off Waters Resulting from Lithium-Ion Battery Fire-Fighting Operations', March 2024	**and Scoping Report [REP1-030]**makes is that the evidence pool is limited with regard to BESS fires but of the data available, no evidence of elevated contamination was recorded. The EA refers to a paper that analyses the impact of water suppression on a battery fire and the potential contaminants released. Section 2.3 of this paper states that '*It is important to highlight that no filtration was made to keep all of the emissions in the analyzed* [sic] *samples,…since the objective of the test was to characterize* [sic] *the global composition of runoff water.'.* As stated in **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]**, mitigation (such as BESS casing acting as containment and the gravel base system) would be present that would limit the pathway for contaminants to enter the ground in the real world. Consequently, this paper therefore cannot be relied upon to evidence a pathway for contaminants. It should also be noted that to trigger thermal runaway, two of the three tests that were the subject of this paper needed the assistance of a Bunsen burner to trigger thermal runaway. This suggests support for the evidence presented in the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** regarding the low chance for fires to occur.

	It is acknowledged that the composition of the BESS units, and therefore potential source or types of contaminants cannot be confirmed at this stage. However, review of two types of battery has been undertaken, which shows that none of the chemical components of the units reviewed are listed as hazardous substances according to the UK Technical Advisory Group on the WFD and the Joint Agencies Groundwater Directive Advisory Group. The EA's Protect Groundwater and Prevent Groundwater Pollution guidance specifies that sites must prevent hazardous materials from entering groundwater. The same review shows that few materials in the reviewed BESS types are classified as non-hazardous. The EA groundwater pollution guidance says that sites *should limit* the entry of non-hazardous pollutants from entering groundwater. Given the chance of fire is remote and the mitigation in place, the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** clearly demonstrates how the entry of such materials is limited. <u>Assessment of Receptor Sensitivity</u> As confirmed in paragraph 3.1.2, of the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030],** it uses the same

	methodology as the EIA to assess the sensitivity of receptors. **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]** concentrates on the WFD water bodies and their known existing water quality to determine their sensitivity. As set out in section 3.3 of the Screening and Scoping Assessment, from a groundwater perspective this is the Flamborough Chalk WFD water body. This is recorded to have a 'poor' overall status. That said, the scoping assessment was based on receptors being the various elements of the water environment as measured under the WFD classifications, which included groundwater quality, as confirmed in section 3.1 and tables 3-2 and 3-3. Groundwater quality was a specific receptor. The ethos behind this was that any degradation of a receptor would be unacceptable in accordance with the WFD requirements, regardless of how sensitive the receptor is. Therefore, specific sensitivities were not necessarily considered but the potential for degradation to them was. NFCC Guidance The NFCC guidance is now three years old and the BESS safety industry is rapidly changing and improving. It is acknowledged that this guidance state that: '*Suitable environmental protection measures **should** be provided.*

	*This **should** include systems for containing and managing water runoff*' (emphasis added). The same guidance also states that '***Consideration should** be given, within the site design, to the management of water run-off (e.g. drainage systems, interceptors, bunded lagoons etc)*' (emphasis added). The Applicant's position, as set out in the **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030]**, follows a source-pathway-receptor model. This demonstrates that the risk of battery fires (source) is extremely low, the pathway to groundwater is limited, for example through the containment of contaminants within the battery units, and the receptor being of moderate sensitivity. This means that the drainage measures proposed (gravel bases, sand layer and geotextile wrap) would provide sufficient protection to groundwater in the unlikely event of escaping contaminants. Consequently, due consideration has been given to the management of water runoff, in accordance with the NFCC guidance, and a sealed system not justified.
EA06 – Use of culverts This issue is listed as EA23 on the Applicant's SoCG with the EA. We raised the matter of cumulative impacts of multiple culverts as a concern within our response at Deadline 2 [REP2-153].	The specifics details of proposed crossings will be confirmed following a detailed survey of the existing crossings. A review has been undertaken of the proposed culverts, specifically the **ES Volume 3, Figure 3.6: Indicative Culvert Crossing Points [REP2-093]**. This confirms that all but two proposed watercourse crossings

The Applicant and EA held a meeting on 30 October to discuss this matter. Within the meeting the Applicant clarified that the crossings presented in Figure 3.6 'Indicative Culvert Crossing Points' are not all above ground new culverts and that in some locations there are existing crossing that may be able to be used. The EA has requested the Applicant makes clearer within the figure, by colour coding, where the proposed crossings and existing crossings are located. Additionally, the Applicant signposted the EA to the hydraulic modelling that the Applicant has undertaken and confirmed that they have updated the model to include missing existing crossings. However, the Applicant has not undertaken a model run that includes the maximum possible number of new culvert crossings in order to assess the possible worst-case scenario, which was requested by the EA. The Applicant has committed to reviewing how many crossings may need to be assessed. This was suggested to be only around two new culverts which would have minimal impact. This issue remains outstanding. However, discussions are ongoing, and we expect to be able to resolve this prior to the close of examination.	(crossings 16 and 19) would seek to utilise existing structures. The impact on flood risk from additional structures has been tested. This is evidenced in Section 3 (Missing Structures) of the Hydraulic Modelling Addendum, which forms Appendix F of the Hydraulic Modelling Report (itself is Appendix C of **ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 4]**). The model tests conclude that the impact of adding or amending structures is not significant, specifically, paragraph 3.1.5 states that 'Given the very minor changes experienced in flood levels across the site it is concluded that the definition of these structures has no material impact on the flood levels, the mitigation (a freeboard of 300mm has been applied), or the layout. The EA has confirmed the above response addresses their comments.
EA012 – Impacts on flood defences This issue is listed as EA10 on the Applicant's SoCG with the EA. Within the aforementioned meeting on 30 October,	There are two types of defences across the site – 'Natural High Ground', associated with the Holderness Drain,

the EA clarified the kind of commitments we would like to see from the Applicant in regard to mitigating any impacts on flood defences. The Applicant has confirmed they intend to update the flood risk assessment (FRA) in that regard. This issue will remain outstanding until it has been satisfactorily addressed within the FRA, but we expect it will resolved prior to the close of examination.	Meaux and Routh East Drain and Arnold and Riston Drain as well as 'Embankments' associated with the Monk Dike. A review of the proposals has been undertaken which indicates the only crossing that interacts with the raised embankment defences is crossing 17 (as identified on the indicative culvert layout **ES Volume 3, Figure 3.6: Indicative Culvert Crossing Points [REP2-093].** This is an existing crossing and therefore the impacts on the defences would be negligible. Elsewhere across the site, the only interaction with mapped defences is where they are designated as natural high ground and therefore the proposals would have negligible impact on such defences. The EA has confirmed the above response addresses their comments. This has been reflected in the updated **ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 4]** submitted at Deadline 5.
Issues resolved	
EA07 – Culverts – post-decommissioning This issue is listed as EA24 in the Applicant's SoCG with the EA, and this issue will be updated to 'Agreed' within the next version submitted into the examination.	The Applicant notes this comment. As set out in item EA24 of the **Draft Statement of Common Ground with the Environment Agency [EN010157/APP/9.3 Revision 4]**, this matter is now agreed.

The provision of new commitment 678 within the Applicant's updated Commitments Register [REP3-022 & REP3-023] and the inclusion of this measure into Table 4-1 of the Applicant's updated Decommissioning Environmental Management Plan [REP3- 028 & REP3-029] (page 28) allows us to confirm that we now consider this issue to be resolved. This commitment will ensure that the decision of whether to remove crossings or leave them in situ at decommissioning is based on an environmental risk assessment, which will use the best available information at that time.	
EA20 – Abstraction / Dewatering This issue is listed as EA06 in the Applicant's SoCG with the EA, and this issue will be updated to 'Agreed' within the next version submitted into the examination. A Water Resources Assessment technical note was provided at Deadline 1 as Appendix 1 to the Applicant's Response to Relevant Representations [REP1-071]. This confirmed the volumes of water that would be required during construction and decommissioning. The report indicated that rainwater harvesting and water imported to site via tanker would be potential sources of supply. Both a third party specialist provider and Yorkshire Water are named providers, but the volumes and supply to which activities from which source remains unclear. Paragraph 2.2.3 states that specific details would be	The Applicant notes this comment. As set out in item EA06 of the **Draft Statement of Common Ground with the Environment Agency [EN010157/APP/9.3 Revision 4]**, this matter is now agreed.

agreed with Yorkshire Water ahead of construction and outside of the planning process. The EA is satisfied that construction water demands and different water supply options have been considered, all be it minimally, and considers that sufficient information has been provided for this issue to be considered resolved. It is ultimately at the Applicant's risk if underestimation of supply options and quantities require a more detailed options appraisal outside of the planning process. The submitted technical note did not contain any quantities required for undertaking Horizontal Directional Drilling (HDD) and this was noted by the EA in our response at Deadline 2 [REP2-153]. The Applicant has since addressed this at Deadline 3 in their Response to Deadline 2 submissions [REP3-039]. From that submission, we are satisfied that HDD demand has now been confirmed to be from mains water supply.	
EA25 – Decommissioning of below ground cables EA25 This issue is listed as EA20 in the Applicant's SoCG with the EA, this issue will be updated to 'Agreed' within the next version submitted into the examination. – Decommissioning of below ground cables We note the applicant has included a new commitment no. 678 within the Commitments Register [REP3-023] at	The Applicant notes this comment. As set out in item EA20 of the **Draft Statement of Common Ground with the Environment Agency [EN010157/APP/9.3 Revision 4]**, this matter is now agreed.

Deadline 3 to assess the risk and determine options for leaving watercourse crossings in situ or removing them at the decommissioning stage. This commitment is secured within Table 4-1 of the updated oDEMP [REP3-029].	

2.4 Natural England

2.4.1 Table 3 below has been extracted from Natural England's **comments on the deadline 3 submissions [REP4-084]**. It provides detail of all significant issues ('red' and 'amber' issues) identified in that submission which, in Natural England's view, remain outstanding. This includes advice on pathways to their resolution, and where possible identifies the 'risk' of each topic as being a red, amber, yellow, green or grey.

2.4.2 The risk ratings used in Table 3 below are defined by Natural England as:

- Red are those where there are fundamental concerns which it may not be possible to overcome in their current form.
- Amber are those where further information is required to determine the impacts of the project and allow the Examining Authority to properly undertake its task and/or where further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy.
- Yellow are those where Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision- making process. However, we reserve the right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.
- Green are those which have been successfully resolved (subject always to the appropriate requirements being adequately secured).
- Grey are notes for Examiners and/or competent authority.

2.4.3 The Applicant has included a response to each matter within the 'Applicant Response' column within Table 3 below.

Table 3: Applicant's Response to points raised by Natural England at Deadline 4

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
NE1a	International designated sites • Humber Estuary SPA • Humber Estuary Ramsar	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	Core mitigation areas and the implementation of a buffer Natural England welcome the updated information provided. We agree that this point is now resolved.		The Applicant notes this response. As set out in item NE03 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	
NE1b	International designated sites	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of	Permissive footpaths in the proposed mitigation areas	Further information required.	The applicant acknowledges Natural England's advice. The permissive path that previously ran around Mitigation Area 11 (Field E6) has been moved to the east and outside Mitigation Area 11	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
	• Humber Estuary SPA • Humber Estuary Ramsar	the listed SPA/Ramsar sites (C) and (O)	Natural England is progressing discussions with the applicant regarding the design of permissive footpaths in proximity to the proposed mitigation areas. We advise that it should be ensured that any fencing or hedgerows between the mitigation areas and footpaths are sufficiently robust to prevent the movement of dogs and people between the permissive footpaths and the wintering/breeding bird mitigation areas. Natural England would encourage the use of 'positive' signage, highlighting the reasons for any fencing used, including, for example, pictures of the relevant bird species, in order to improve public engagement. We highlight that alternative 'dog run' areas away from the bird mitigation areas may also be effective at reducing impacts and enabling public enjoyment of the site. We therefore suggest that it may be appropriate to consider whether there are other areas within the site design that would be suitable for dogs to be off lead and incorporate relevant signage.		(Field E6). The permissive path that previously formed a loop around Mitigation Area 9 (Field D18) has been altered to only include a path along the northern boundary, allowing access from an adjacent equine centre to the permissive path network. Appendix D of the **Outline Landscape and Ecological Management Plan (LEMP) [REP4-073]** that was submitted at Deadline 4 was updated to show the re-routed sections of permissive path. Section 3.2 of the **Outline LEMP [REP4-073]** that was submitted at Deadline 4 was updated to include re-calculations of the Humber Estuary SPA/Ramsar mitigation areas as a result of the fencing off of permissive paths that run through mitigation areas. The re-calculations result in a loss of 0.43 ha of Humber Estuary SPA/Ramsar bird mitigation area. Mitigation Area 9 (Field D18) has been reduced from 21.48ha to 20.95 ha due to the permissive path and Mitigation Area 11 (Field E6) has been increased from 8.6 ha to 8.7 ha due to a minor mapping discrepancy. As detailed within Appendix E of **Outline LEMP [EN010157/APP/7.5 Revision 9]** the area required to mitigate for the Humber Estuary SPA/Ramsar bird species is 14.54 ha. The Proposed Development includes 38.33 ha of Humber Estuary SPA/Ramsar bird mitigation land which is more than double the required mitigation land. Paragraph 6.3.8 was added to the **Outline LEMP [REP4-073]** that was submitted at Deadline 4 to provide further information regarding fencing and signage. Section 16.3 of the **Outline LEMP [REP4-073]** that was submitted at Deadline 4 was updated with further detail regarding the amended permissive path routes and management of hedgerows where they are required to prevent permissive path users and dogs from entering the bird mitigation areas.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
					The Proposed Development does not include specific dog run areas, however Field F17 has been chosen for community access which could be used by dogs. The final community access design and purpose will be detailed within the final Landscape and Ecological Management Plan. As set out in item NE04 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	
NE1c	International designated sites • Humber Estuary SPA • Humber Estuary Ramsar	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>Hydrology of the proposed mitigation areas</u> Natural England agree that this point is now resolved, based on the additional information provided at Deadline 4 and the commitment to implement appropriate measures to 'ensure the bird scrapes hold water during the winter and accomplish their purpose', with the scrapes monitored and maintained to ensure suitable wetland habitat.		The Applicant notes this response. As set out in item NE05 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	
NE1d	International designated sites • Humber Estuary SPA • Humber Estuary Ramsar	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>Management of the proposed mitigation areas</u> Natural England welcome the following updates to the proposed management of the mitigation areas: • The maximum target winter sward height within the proposed mitigation areas (Areas 9, 11 and 13) will be 10cm. • Should monitoring indicate a decline in bird numbers below the pre-construction baseline, site level factors such as habitat		The Applicant notes this response. As set out in item NE06 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
			management will be considered in the assessment. • Bird monitoring surveys will be undertaken once a month from November to March, with these surveys occurring annually for years 1-3, followed by monitoring at two-year intervals for years 3-10 and at five year intervals subsequently. • Tables 15-3 and 16-3 of the oLEMP [REP3-032] have been updated to include examples of remedial measures. We recommend that the remedial measures in 15-3 and 16-3 of the oLEMP [REP3-032] should be revised to incorporate 'appropriate measures to increase invertebrate numbers', such as muck spreading, grazing animals or other locally appropriate methods. Muck spreading relies upon a suitable source of livestock manure, so other options to increase invertebrate numbers should be explored where necessary. However, this clarification is unlikely to make a material difference to our advice or the outcome of the decision-making process. • A monitoring report will be produced following each of the			

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
			completed surveys, with Natural England consulted if the site is failing to meet its targets.			
NE1e	International designated sites • Humber Estuary SPA • Humber Estuary Ramsar	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>Bird surveys</u> Based on the updated information provided, overall, Natural England agrees that pink-footed geese will not be significantly affected by disturbance/displacement from functionally linked land within the grid connection corridor during construction. This is due to factors including the short-term nature of the construction works within the grid connection corridor and the highly mobile nature of pink-footed geese. The agreed non-breeding bird mitigation areas will also provide additional feeding areas for this species during this period. We do not agree with the conclusion that the grid connection cable route is not considered to constitute functionally linked land for pinkfooted geese. However, due to the factors outlined above, we advise that significant effects on this species can be ruled out in this case.	Further information required.	The Applicant notes this response. As set out in item NE02 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed and the adjacent risk column should be changed to green.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
NE1g	International designated sites • Humber Estuary SPA • Humber Estuary Ramsar	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	In combination impacts Natural England welcome the updates to the in-combination assessment provided in the sHRA [REP3-014]. We agree that this point is now resolved Natural England note that application 25/00275/STPLF will be required to complete an in-combination assessment with this development.		The Applicant notes this response. As set out in item NE07a of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	
NE2a	International designated sites • Humber Estuary SPA • Humber Estuary Ramsar	Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites. (C)	Noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites during construction Natural England welcome the clarification provided in the applicants Response to Deadline 2 submission [REP3-039] that the measures included in the oCEMP [REP3-026] will be implemented to mitigate the effect of disturbance/displacement or relevant bird features of the Humber Estuary SPA/Ramsar within and adjacent to the Order Limits, including the grid connection cable route. We agree that this point is now resolved.		The Applicant notes this response. As set out in item NE08 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
NE5	International designated sites • Humber Estuary SAC • Humber Estuary Ramsar	Potential water quality impacts – construction (C)	<u>Horizontal Directional Drilling - Bentonite breakout</u> We welcome that Natural England will be consulted as a statutory consultee on the bentonite breakout procedures included in the CEMP, prior to construction commencing. We agree that this point is now resolved.		The Applicant notes this response. As set out in item NE11 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	
NE8b	Protected species	Protected species - Badger	<u>Badger</u> Natural England notes the additional information provided at Deadline 3 regarding badger. We advise that the oCEMP should include avoidance of works within 30m of badger setts in the first instance. Where this is not possible, the mitigation/licence requirements detailed should be implemented. The applicant has agreed to include this update in the oCEMP. Subject to the agreed amendments, this point will be resolved.	Further information required.	Following discussions with natural England, the relevant commitment in the **Outline Construction Environmental Management Plan (CEMP) [REP4-027]** that was submitted at Deadline 4 was updated to state that where possible, intrusive groundworks, including hard piling or major excavations, will avoid impact to land within 30m of an active badger sett. If avoidance is not possible, appropriate mitigation would be undertaken in consultation with Natural England and, if required, setts permanently or temporarily closed under licence. Should pre-construction surveys and micro-siting indicate likely disturbance to a sett, then the Applicant would apply for the appropriate licence either to live dig under ecological supervision or to temporarily close the sett. As set out in item NE16 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
NE8c	Protected species	Protected species - Bats	<u>Bats</u> Natural England welcome the measures secured for bats in the oCEMP [REP3-026] and oOEMP [REP3-030]. We welcome that, where reasonably practicable, double row Heras fencing with either camouflage netting over the top or filled with brash is suitable where sections of hedgerow are to be removed. Natural England would welcome brash as the preferable option, and advise that should netting be used, the use of netting on both sides of the fencing as well as across the top would be welcomed. We agree that this point is now resolved.		The Applicant notes this response. Detailed measures to mitigate impacts on bats during construction will be included within the CEMP. This will include ensuring that, where reasonably practicable, the fencing options recommended by Natural England will be used.	
NE8d	Protected species	Protected species – Breeding birds	<u>Breeding birds</u> Natural England welcome the clarification provided regarding how national trends will be considered in the assessment of bird numbers and 'success' of the mitigation areas. We welcome that should monitoring indicate a decline in bird numbers below the preconstruction baseline, site level factors, such as habitat management, will also be considered in the assessment. Please refer to NE1B for our outstanding comments regarding permissive footpaths in the proposed mitigation areas	Further information required.	The Applicant notes this response. As set out in item NE17 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed. Various permissive paths have been rerouted to avoid and reduce impact to proposed ground nesting bird habitat, as shown within Appendix D of the **Outline LEMP [REP4-073]** that was submitted at Deadline 4. Where permissive paths enter ground nesting bird mitigation areas the hectarage was recalculated to exclude the permissive path areas, as set out in the updated **Outline LEMP [REP4-073]** that was submitted at Deadline 4. Excluding the permissive paths from the ground nesting bird mitigation area total has resulted in the total hectarage being reduced to 112.34ha. As detailed within Appendix E of **Outline LEMP [EN010157/APP/7.5 Revision 9]**, the minimum	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
					hectarage required to mitigate for the 65 Skylark territories is 116ha. However, the required ground nesting mitigation calculations are subjective, and therefore should also consider the full suite of mitigation measures designed to improve skylark and other ground nesting bird capacity locally including invertebrate biomass under panels as well as provision of a source of winter seeds. The proposed ground nesting bird mitigation detailed within the updated **Outline LEMP [REP4-073]** that was submitted at Deadline 4 is sufficient to mitigate for ground nesting birds when considering the 112.34ha of ground nesting bird mitigation and proposed ecological enhancement measures. Please see The Applicant's response to NE1B regarding fencing and permissive paths for more information.	
NE10	Soils and best and most versatile agricultural land	Comments on Appendix 10.2: Agricultural Land Classification Report	Natural England notes that a detailed ALC and soil survey has not been undertaken of the grid connection cable route at this stage, with a detailed soil/land quality survey of the grid connection cable route to be undertaken post-consent/pre-construction. Natural England recommends a bespoke soil-investigation programme agreed at an early stage, proportionate to the site's scale and complexity. Agreeing a truncated survey now and postponing comprehensive sampling risks under-estimating local soil variability, agricultural sensitivity and reinstatement challenges and it undermines the integrity of the eventual Soil Management Plan. We advise, however, that if the ExA determine that the proposed	N/A	The Applicant notes this response. As set out in item NE19 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
			approach is acceptable, micro siting of the cable route should be informed by any surveys undertaken.			
NE11	Soils and best and most versatile agricultural land	Comments on the Outline Soil Management Plan	Natural England welcome that the Outline Soil Management Plan covers the full order limits, including the grid connection cable route. Natural England recommend that all soils should only be handled in a dry and friable condition. Natural England welcome the confirmation provided in the Outline Soil Management Plan (oSMP) [REP1-062] that soil handling will be principally confined to the period April to October. Natural England welcome that '*All soil trafficking and handling operations will be undertaken under the supervision of an appropriately trained and experienced person, who will advise on and supervise soil handling, including identifying when soils are dry enough to be handled*'. Given the high quality of the agricultural land, we recommend that this should include supervision of soil handling by a competent soil specialist. Natural England welcome that all storage bunds intended to remain in situ for more than 6 months, or over		The Applicant notes this response. As set out in item NE20 of the **Statement of Common Ground with Natural England [EN010157/APP/9.4 Revision 4]**, this matter is now agreed.	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
			the winter period, will be grassed over, with weed control and other necessary maintenance carried out Natural England welcome the commitment in section 10 of the oSMP [REP1-062] to provide information on the grid connection corridor in a Soil Management Plan, and to restore the land to the same ALC grade after installation of the cable and restoration of the works.			
NE12	Ancient woodland and ancient/veteran trees	Ancient woodland and ancient/veteran trees - General	Natural England notes that, as a result of Change 9, veteran tree T381 is no longer within or adjacent to the Order Limits and will not be impacted by the Proposed Development, and that consequently there are no longer any veteran/ancient trees within the Order Limits. We note that there are two locations where veteran trees are located adjacent to proposed access tracks. Natural England advises that it should be determined whether the proposed approach is in line with Natural England's standing advice for ancient woodland, which should be referred to. Natural England is not providing bespoke advice on the ancient woodland information provided in the ES for this project. Any further information provided has not been assessed by Natural England. We note that further detailed will be provided in an Arboricultural Method Statement, which will be produced prior to construction. We advise that the Local Planning Authority		There are now no veteran/ancient trees within the Order Limits. A 15m buffer will be implemented for veteran trees identified adjacent to the Order Limits, where possible. However, as detailed in **ES Volume 4, Appendix 7.11: Arboricultural Impact Assessment [REP4-023]**, there are two locations where veteran trees are adjacent to proposed access tracks: • Veteran tree T395 sits on the edge of the Order Limits, beside Carr Lane (Long Riston), a proposed access route. However, no highways improvement or other works are proposed within its root protection area (RPA). Veteran tree T428 is adjacent to the Order Limits at Carr Lane (Arnold), a proposed access route, and has a proposed passing place located at the edge of its RPA. Tree protection fencing will be installed prior to works commencing. Due to being located on the opposite side of the road to the passing place the site conditions are likely to further discourage root colonisation beneath the carriageway. This is due to the inhospitable rooting environment, where tree roots are far more likely to exploit less resistant and better-aerated soils at the road margins, rather than extending beneath the hard surface, and therefore, minimal impacts to roots are likely to occur. Tree	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Applicant Response	Risk Red/ Amber/ Green/ Grey
			Ecology team should be consulted on this document. The requirement for mitigation/compensation has not been assessed by Natural England.		protection fencing must be positioned along the road edge nearest the tree to protect the soft verge and the roots within it from compaction. Further details will be provided in the Arboricultural Method Statement, which will be produced prior to construction of the Proposed Development commencing, as secured by the **Outline CEMP [REP4-028]**.	

2.5 ERASE - East Riding Against Solar Expansion

2.5.1 Table 4 below provides the Applicant's response to key topics raised within ERASE - East Riding Against Solar Expansion's **Deadline 4 Submission [REP4-085]** document submitted at Deadline 4.

Table 4: Applicant's Response to points raised by ERASE - East Riding Against Solar Expansion at Deadline 4

ERASE - East Riding Against Solar Expansion Response Summary	Applicant Response
At the Hearing on 23rd October a discussion took please regarding BESS and about safety in particular. I asked a question of the Chair and the applicant as to whether or not the Humberside Fire and Rescue Service were a statutory consultee specifically with regard to safety matters. If my recollection is correct, i believe that the Chair thought it was a statutory consultee, although the applicant seemed to differ. So, there was some confusion on the issue. I have since heard form Humberside F&R Service who have confirmed that they are not a statutory consultee. Given the high level of public concern with regard to safety and potential fire and contamination risk, would it not be wise to wait until the Humberside F&R Service are appointed statutory consultees, and have completed a thorough assessment of the issues?	Section 42 of the Planning Act 2008 requires applicants to consult specified prescribed consultees prior to submission of an Application. The prescribed list of statutory consultees for the purposes of Section 42, as explained above, is set out in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009. This includes the 'relevant fire and rescue authority' as a statutory consultee. As such, Humberside Fire and Rescue is a statutory consultee under this process. The **Consultation Report Appendices Part D [APP-030]** includes a list of consultees under section 42, and confirms that Humberside Fire and Rescue was consulted as a Statutory Consultee at the pre-application stage.
Further to the Issue Specific Hearing of 23rd October, agenda item 8 Transport and Access, I wish to highlight issues relating to the use of Carr Lane, Long Riston for HGVs. At the aforementioned meeting, much discussion focused on issues relating to the unsuitability of Park Lane, but no mention was made in relation to Carr Lane. Carr Lane is a long and	The issue of the suitability of Carr Lane, Long Riston, for use by construction HGVs was addressed in the **Response to Relevant Representations [REP1-071]**, relevant representative reference RR-041, at Deadline 1. The response outlines the mitigation measures proposed to ensure that Carr

ERASE - East Riding Against Solar Expansion Response Summary	Applicant Response
narrow country lane, unsuited to HGVs. It leads to land owned by [*redacted*] who run a small holding and operate a nursery plant business. If the project proceeds their land will be totally surrounded. The family will be effectively imprisoned in their home of many years. Considerable damage could also be done to the operation of the business if multiple HGV movements take place over a long construction period.	Lane, Long Riston, is suitable to accommodate HGVs. The effects of construction traffic are temporary in nature and considered to be not significant following the adoption of the measures outlined in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**.
However, specifically on the issue of transport and access, I feel the developer should look at using a better alternative route ie the lane off the A165 leading to [*redacted*] land. I understand that [*redacted*] has been receptive to the developer's entreaties and that panels are due to be situated on his land. I also believe that the lack of a suitable turning off point from the A165 has negated its consideration as a better alternative route. It would, however, have the benefit of delivering a much shorter route over a considerably shorter distance to the solar farm than the kilometre long Carr Lane. In addition, you should also be aware that Carr Lane has 2 bridges which would be unlikely to bear the weight of HGVs and may require significant structural costs. From a business perspective, Carr lane is the owner's only access in and out of [*redacted*] and is in daily use. If a customer was to meet an HGV whilst visiting the plant nursery or the farm and they are not confident in reversing it would deter them from returning and will cause the plant nursery business to suffer.	The access junctions used to route construction traffic to and from the Site via the A165 have been assessed using swept path analysis presented in **ES Volume 4, Appendix 14.5: Swept Path Analysis [REP2-137]**. The analysis identified where highway works were required and it is proposed to provide these works as is outlined in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**. With specific reference to the Carr Lane (Long Riston) / A165 junction, it is proposed to widen the junction and to provide passing places on Carr Lane to ensure that the access can be safely used by all road users. Structural surveys will be undertaken post-consent to inform the detailed design and where required appropriate mitigation will be provided.

ERASE - East Riding Against Solar Expansion Response Summary	Applicant Response
Finally, I believe that [*redacted*] access is going to be used for wind turbine cables coming from the North Sea, This would also suggest that this is a more appropriate route. I would therefore suggest that the lack of slip lane could be alleviated at minimal cost and whilst still not being Ideal, would at least mitigate against some of the business impact and mental trauma being experienced by the [*redacted*] and might be seen as a gesture of goodwill on the part of the developers.	The proposed vehicle accesses to the Site during the construction phase have been assessed in detail and are considered to be appropriate with the proposed mitigation measures implemented as set out in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**.

2.6 Albanwise

2.6.1 Table 5 below provides the Applicant's response to key topics raised within Albanwise **Written summary of oral submission made at Compulsory Acquisition Hearing 1 [REP4-086]** document submitted at Deadline 4.

Table 5: Applicant's Response to points raised by Albanwise at Deadline 4

Albanwise Response Summary	Applicant Response
2 .Albanwise is directly affected by the compulsory acquisition ("CA") and temporary possession ("TP") provisions within the second suite of change proposals ("Change 2") and, in particular, change 9 within the Change 2 envelope. Various items on the ExA's agenda for CAH-1 concerned, and referred directly to, land owned by Albanwise, (in particular namely land parcels 2A-4 and 2A-5) which is proposed to be subject to CA/TP provisions promoted by way of Change 2. These agenda items appeared despite the deadline for Relevant Representations ("RRs") in respect of Change 2 not yet having passed.	The Applicant notes this response.
3. […] The Examining Panel should be aware that Albanwise is still awaiting additional information on the proposed changes associated with the Change Request from the Applicant. This information was requested more than five weeks ago in its 5 September response to the Applicant's consultation.	The Applicant shared additional information on junction and track design on 30 October and 4 November. Subsequently the Applicant met with Albanwise on 7 November to discuss the information provided with Albanwise and their appointed transport consultant. Following this meeting a list of further information and action points were noted, and further technical

	information provided to Albanwise on 12 November.
8. In a similar vein, albeit that Agenda Item 8 Bullet 4 for Issue Specific Hearing 2 ("ISH2") concerns "Consideration of potential construction traffic/routing and implications for the implementation of Field House Solar Farm", the ExA helpfully indicated to Albanwise at CAH-1 that it would have a further opportunity to make representations in writing and orally to the ExA in respect of this issue, at a later stage in the examination. 9. Albanwise welcomes that indication and confirms that it will be submitting technical traffic and transportation evidence to the examination in connection with this issue, not least of all because (as set out below) at the current point in time the applicant has (wrongly) assumed (on the basis of "no baseline data" having been collected) that the access track is not used at all, i.e. 0 vehicles per day.1 The track is in fact heavily used and its use will become even more significant when it comes to be used for the construction of the two solar schemes referred to below.	With regards to the reference to "0 vehicles per day", the purpose of this was to automatically screen in the link with reference to IEMA's guidance on screening which is based on percentage increases in traffic. Lower baseline traffic results in a higher percentage increase in traffic. Notwithstanding this, IEMA's guidelines indicate that absolute values can be used to determine residual environmental effects on links where baseline traffic is low and the Applicant considers that no significant environmental effects would arise as a result of the Proposed Development, as set out in **ES Volume 2, Chapter 14: Transport and Access [EN010157/APP/6.2 Revision 5]**. The Applicant is in liaison with Albanwise to discuss this matter and awaits the representation to be submitted in writing.
This is the first CAH in this examination. At the CAH the applicant sought (orally) to justify the CA/TP provisions that are within the 2nd change request that the ExA have agreed to examine, i.e. Change 2. However, they have done so in circumstances where:	The Applicant notes this response and considers that the ExA's procedural decision **[PD-017]** sufficiently addresses these concerns.

(1) The deadline of 29 October 2025 for making RRs in respect of the latest series of change requests has not yet arrived; (2) By definition the applicant has not responded to those as yet unformulated RRs setting out its position in writing; (3) The ExA has yet to issue an initial assessment of issues under reg.11 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("the 2010 Regulations"); (4) The applicant has asked the ExA not to exercise an important procedural power, namely the power under reg.11(2) of the 2010 Regulations to hold a meeting to decide how the proposed provisions should be examined but, importantly, has not proposed how Interested Parties ("IPs") should be able to influence procedural decisions about how the provisions will be examined if it is not through a reg.11 meeting (note that the reg.11 power to hold a meeting is an important part of the machinery for ensuring procedural fairness in cases where provisions are promoted which would authorise CA/TP in the absence of agreement); (5) Instead it has suggested that: (a) the ExA gives itself only 3 working days between the submission of RRs (29 October) and the issuing of the ExA's initial assessment of issues (4 November), (b) that IPs should also have only 3 working days between the submission (note: not the publication, which as we all know, usually follows the date of actual submission by a matter of days) of written representations relating to the change request (25	

November), and Deadline 5 at which those submissions need to be dealt with by IPs (28 November); and (c) that just 2 working days later (3 and 4 December) the ExA should accommodate additional CAH/ISH/OFHs.	
12. No consideration has been given to the need, if one arises, for further ExQs in what is statutorily supposed to be a process that is primarily written (s.90(1) of the Planning Act 2008 ("PA 2008")) albeit with important points of contact at which oral submissions can be made. Plainly, the written-led process only functions in a procedurally fair and effective manner if sufficient time is given to participants for the written process to work. Note that the procedure in the PA 2008 is the streamlined procedure for NSIP consenting: to streamline what is already a streamlined procedure is a major procedural risk area.	The Applicant notes this response and considers that the ExA's procedural decision **[PD-017]** sufficiently addresses these concerns.
13. All of this is being done to shoehorn the examination of changes proposed late in the process that the ExA has – rightly – concluded comprise material changes into what little time remains within the statutory examination period. The applicant is asking not just IPs, but also the ExA, to bend over backwards to accommodate changes involving the use of draconian CA powers which, if genuinely needed for project delivery, would have been consulted upon and promoted at the pre-application stage.	The Applicant does not agree with this assertion and considers that the proposed change reflects the Applicant's willingness to listen to feedback from interested parties. The Applicant considers that the ExA's procedural decision **[PD-017]** sufficiently addresses these concerns.
14. In this context Albanwise do not shy away from the submission that the second suite of proposed provisions for CA/TP are far too extensive to be examined in a procedurally fair manner at this point. They should	The Applicant notes this response and considers that the ExA's procedural decision **[PD-017]** sufficiently addresses these concerns.

be rejected. In the ExA's letter dated 19 September 2025 (PD-011) the following is noted: "…the acceptance of the proposed changes is made on the basis that all the processes can be completed in the required time prior to the close of the examination (taking into account statutory timeframes as necessary) and in accordance with any revised examination timetable that may be published in due course. If this is not achieved, then the ExA will not be in a position to take the change request into account in our recommendation report to the Secretary of State as it will not have complied with the relevant statutory procedures." 15. That eventuality is exactly what has come to pass in that: (1) Despite the examination procedure being, statutorily, primarily written, what has transpired today is in effect a jackknife. The applicant has used a CAH as a means of promoting the second suite of changes despite the time for RRs to be submitted being over a week away. So the cart has been put before the horse and the oral process has been permitted to overtake the written process in a procedurally unsafe manner. (2) Further CAHs have not yet been scheduled, so it is not yet known when or whether IPs will have a further opportunity to address the ExA on matters which will in due course have to be set out in writing. That is of course a matter that the ExA have the power to remedy – provided there is sufficient time within the examination envelope to do so. (3) We say:	

(a) 3 working days between RRs and reg.11 initial assessment of issues is not long enough and there is a risk that in trying to conduct an important exercise that will determine the way in which the CA/TP provisions will be examined, important issues will be overlooked or will fall through the cracks. (b) 3 working days for IPs to respond to the applicant's written response to RRs is simply not sufficient – and that assumes that they are published immediately following receipt – which they will not be. This is not just impractical and onerous – it is impossible. (c) 2 working days to prepare for further hearings, if scheduled, following receipt of all of the Deadline 5 material is also not enough. Again, not just onerous, impossible. *Note that in each of (b) and (c) above Albanwise need to take specialist advice from a highways engineer and present that input (which will be quantitative and qualitative, and of a technical nature) to the ExA properly, and adequate time will be needed for that. (4) The applicant's timetable does not present any opportunity for IPs to influence how the proposed provisions will be examined. It is proposed – boldly – to simply dispense with the need for a reg.11 meeting but not to substitute it with any written process. Importantly, the reason why the applicant wants the reg.11 meeting to be dispensed with has nothing to do with such a	

meeting not being needed – but because the holding of such a meeting would be inconvenient in terms of timing, and not holding the meeting enables the truncated timetable to fit within the examination envelope. 16. That is not a sufficient reason to dispense with a meeting which serves an important purpose in the context of the scheme of the PA 2008 as a whole in that it enables individuals from whom land and rights are proposed to be acquired by compulsion to influence the procedure by which the relevant acquisition provisions come into effect in the DCO. 17. It would be a misuse of the statutory discretion in reg.11 which should not be used in a way that facilitates the applicant's election to have proposed changes at a late stage in the examination; rather when exercised it should be because it is procedurally unnecessary, i.e. where the ExA have sufficient written material and sufficient time available to them to make procedural decisions about the manner in which the proposed provisions will be examined without the need to hold a meeting. But since the deadline for RRs has not passed, and the RRs have not been published, it is entirely wrong for the applicant to suggest prospectively that the procedural safeguard in reg.11 should be dispensed with, and not substituted. 18. In summary: the timetable is too narrow; the turnaround times are wildly optimistic, and would give rise to serious procedural unfairness; because of that the statutory primacy of the written process would be undermined to an extent that would be unlawful; and an important protective procedural mechanism is proposed to be dispensed with for an improper purpose and not substituted by anything.	

19. In that context the changes involving CA/TP provisions should not be taken into account and, if they are not withdrawn by the applicant, which they ought to be, then they should be ignored when making your recommendations to the SoS such that the recommendation on the dDCO and the project should, i.e. must, be based on the prechange position. Alternatively, the examination timetable should be extended into the New Year to enable the changes to be examined in a procedurally fair manner.	
Agenda Items 3/4 – Site specific issues	
21. In relation to bullet points 1-4 on Agenda Item 3 Albanwise make the following points in summary: (1) Bullet 1. The negotiations to secure the land/rights voluntarily has involved moving goalposts, notably the applicant only on 29 August 2025 (days before the formal change application was made) told Albanwise that it wished to secure TP over Plot 2A-5, it having previously said (on 6 and 14 August) that it only wished to secure permanent rights/interests in respect of the access route (Plots 2A-4 and 6-7). This is completely unsatisfactory. (2) Bullet 2. As to matters arising from submissions, see below, and also we want to reiterate that there needs to be a full statutory written-led process for examining these matters, together with further CAH/ISH at a later date, into these matters	**Bullet 1**. The Applicant agrees that the design of the Proposed Development has evolved. The Applicant did not merely create this change of its own accord. It was a result of consultation. As part of this consultation process, the Applicant actively engaged with affected parties. The Applicant considers this to be an iterative process, and so in line with comments made, the Applicant made design refinements based upon these comments and kept those impacted updated. As set out in the **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**, the geometry of plot 2A-5 was designed as a result of consultation with

(3) Bullet 3. There is an alternative access to FHF from south of the A1035, to the east of the start of Plot 2A-4. But does this access serve all of the units at FHF and is it suitable for emergency etc. access? (4) Bullet 4. Albanwise consider that categorically, yes, the former access arrangements off Meaux Lane ("ML") would be preferable (and would not give rise to any complications) given that: (a) ML is already within Order Limits and is already proposed to be used in connection with the Project; (b) detailed design for ML has progressed and passing place provision has already been identified; (c) there is no suggestion in the ES or the transport studies that indicates that the volume of scheme traffic using ML will cause ANY significant adverse effects or that ML cannot accommodate the volumes proposed; (d) no substantive benefits at all have been identified in the reduction in traffic movements on ML from vehicles accessing Land Area E (-25%) and D (-50%); and (e) we reserve our position on whether the tree in the former access off ML is in fact a "veteran" tree pending further arboricultural investigation, and even if it is	Albanwise and their agent. The Applicant had understood that Albanwise did not have a fixed layout for its Field House Farm project and there could be optimisation of its proposed site. The Applicant's understanding was that there could be such variations. The Applicant therefore wanted to maintain the flexibility that any shared access track would align with the proposals for Albanwise's solar farm layout. Albanwise has now said that no such flexibility is proposed. This led to the Applicant sharing a co-operation requirement and interface agreement with Albanwise. **Bullet 2.** The Applicant notes this response and considers that the ExA's procedural decision **[PD-017]** sufficiently addresses these concerns. **Bullet 3.** It is the Applicant's understanding that the alternative access to Field House Farm provides vehicular access to the farm. This track is less preferable due to the track running close to the farm buildings and a residential dwelling which would increase the potential for effects on receptors. The proposed construction access is

	set back further from the receptors and therefore is deemed to be preferable. For emergency access, this would be an appropriate route in emergency situations in the event that the main access was obstructed. **Bullet 4**. The Applicant does not agree that the original proposal off Meaux Lane is the best scenario. The Applicant has set out the justification for this change 9 in its formal **Change Application [REP2-149]** and **Appendix 1 - Summary of Applicant's position in relation to Albanwise** contained within the **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**. In summary, the change offers the following benefits: Removal of 26,181m^2 of land identified for permanent acquisition from the Order limits. Elimination of the interface with veteran tree T381 as shown on Drawing No. 3 of the Tree Constraints Plan appended to **ES Volume 3, Appendix 7.11: Arboricultural Impact Assessment [APP-115]**. ERYC has expressed full support for the removal of this impact, noting

	that it overcomes a significant objection from the ERYC in relation to ecology and tree impacts, as set out at row ERYC23 of the **draft SoCG with ERYC [REP4-042]**. Reduction of the need for associated hedgerow and vegetation clearance between the points marked A/02/01 and A-02/02 on sheet 2 of the **Streets, Rights of Way and Access Plans [PDA-005]**. Reduction in the use of Meaux Lane during construction –approximately by 25% for traffic accessing Land Area E and by 50% for traffic accessing Land Area D. The use of an access route directly off the A1035 would provide additional resilience to any incidents or closures on Meaux Lane which would impact the Applicant's ability to access the Proposed Development during construction and/or operation. Separate access points provide the Applicant with flexibility and ensures that the programme is not unnecessarily delayed. The Applicant considers that the use of this alternative access would represent an improvement to its proposals. The Applicant has consulted ERYC with regards to the proposal.

	ERYC welcomed the change and stated they consider it an improvement.
23. First: the provisions would materially substantially prejudice the delivery of two consented solar farms. These are substantial public interest considerations that weigh heavily against the provisions in the s.122 context, but they also give rise to NPS conflict. Paragraph 2.5.2 of EN-3 indicates that good design involves facilitating coexistence, which plainly would not be met if the provisions sterilized or materially adversely affected two solar schemes. (1) Field House Solar Farm (40MW). An implemented planning consent exists for a solar farm on land which includes Plots 2A-4, 2A-5 and 6-7. Albanwise needs to continue implementation in earnest in order to meet a grid connection date in 2027 – something that will be impossible if Change 9 is confirmed. Plot 2A-5 is the location of the substation for the Field House Solar Farm development, as well as numerous solar panels and the site entrance, so its use for access by the applicant would be entirely incompatible with the development of Field House Solar Farm. The substation cannot be moved since the DNO has permitted the scheme to connect to the grid at this point which is immediately adjacent to the 132kV OHLs which only intersect the scheme land in this area. The northern part of Plot 2A-4 would impinge upon and be incompatible with the location of the Field House Solar Farm solar panels and transformers. If confirmed the provisions would render this scheme incapable of implementation	The Applicant has responded in detail to these points and set out why it is not considered that the Proposed Development would prejudice the delivery of either Field House Solar Farm or Carr Farm Solar Farm within **Appendix 1 - Summary of Applicant's position in relation to Albanwise** contained within the **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16, Schedule 2 of the **draft DCO [EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].**

– and would kill 40MW of renewable generating capacity which is currently programmed to go online by 2027. (2) Carr Farm Solar Farm (49.9MW). Albanwise also has Planning Permission for a solar scheme further to the will the access on Plots 2A-4 for construction. The use of the same road access means there is also a conflict with the construction of the Carr Farm solar farm.	
24. Second: the provisions would prejudice Albanwise's wider farming operations and the tenanted occupiers at FHF farm. The proposed new construction and maintenance access for the Project is the main access to approximately 360 hectares of Albanwise's farmland south of the A1035. Not only is this a critical access for our Albanwise's own agricultural operations (used by combine harvesters, tractors and trailers, tankers etc. for the purposes of the Albanwise agricultural businesses, with many activities being time-sensitive), but is also heavily used by those third parties who hold contracts to farm parts of this land. Furthermore the land is the access for Albanwise's residential tenants at Field House farm house and cottage it also provides access for other residents/ businesses operators/employees that live and work in the area to the south of the A1035, which require access multiple times daily, plus delivery and emergency service vehicles. All of these uses would be substantially prejudiced if the access was acquired whether on a temporary or permanent basis.	The Applicant has responded in detail to these points and set out why it is not considered that the Proposed Development would prejudice the delivery of either Field House Solar Farm or Carr Farm Solar Farm within **Appendix 1 - Summary of Applicant's position in relation to Albanwise** contained within the **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**. The Applicant notes that comments from the residential tenants at Field House Farm prompted the design change to the access route within Change 9. The Applicant has liaised with Albanwise who have provided estimates of the number of vehicles currently using the farm track. The Applicant proposes to manage construction traffic with a delivery booking system and

	bankspeople, as well as with a collaborative approach to ensure that all parties are aware of potential conflicts. This approach is reflected in Requirement 16 of the **draft DCO [EN010157/APP/3.1 Revision 9]** which sets out an obligation on the Applicant to minimise any conflict and coordinate with Albanwise on, amongst other matters, the use of the access track.
25. Third: in this context, which we say overwhelmingly points against there being a sound justification for the provisions in Change 9, there does not appear to be any justification advanced by the applicant that comes close to meeting the s.122 PA 2008 conditions. The conditions, so far as relevant, are that the land is "required" (s.122(2)(a)) and that there is a "compelling case in the public interest" justifying the provisions (s.122(3)). The 2013 CA Guidance is clear that: "For this condition to be met, the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired." 26. In the case of Sharkey v Secretary of State for the Environment [1992] 63 P&CR 332 the High Court held (in relation to materially similar conditions in the relevant statute in that case) that: "I agree with Roch J. that the local authority do not have to go so far as to show that the compulsory purchase is indispensable to	The Applicant does not consider it appropriate for a parallel to be drawn here between the proposed Development and the case of Sharkey v Secretary of State for the Environment [1992] 63 P&CR 332. Albanwise asserted at the CAH1 that the use of the word "attractive" in the **Change Application [REP2-149]** provides proof that the benefits of the change are "desirable". The real benefits of this proposed change have been set out above, and provide the justification for this change 9 in its formal **Change Application [REP2-149]** and **Appendix 1 - Summary of Applicant's position in relation to Albanwise** contained within the **Summary of Applicant's Oral Submissions at the**

the carrying out of the activity or the achieving of the purpose; or, to use another similar expression, that it is essential. On the other hand, I do not find the word "desirable" satisfactory, because it could be mistaken for " convenient," which clearly, in my judgment, is not sufficient. I believe the word "required" here means "necessary in the circumstances of the case"…" 27. Yet that weak justification is in fact precisely what the applicant relies on in this case. 28. In particular: (1) No rationale whatsoever is advanced in respect of the reduction in use of ML save that "The potential to reduce the use of Meaux Lane during construction has some attraction given that it is a narrow route with existing weight restrictions in force". See para. 9.1.3 of the Change Request Application (REP 2-149). This is astonishing. To say that the highway/transport implications have "some attraction" falls materially short of meeting the relevant statutory conditions. Frankly it is substantively unreasonable to promote draconian CA/TP provisions which would authorize the involuntary acquisition of property rights on the basis that it would have "some attraction". (2) But even the suggestion that the use of this alternative access to Land Areas D and E has "some attraction" is unsupported by any actual evidence: (a) No SEEs are reported in the ES in relation to the use of ML;	**Compulsory Acquisition Hearing 1 [REP4-038]**.

(b) No actual benefits are said to flow from the reductions said to flow – the change application only reports the reductions in volumes for vehicles using ML, but does not explain why this is a benefit that could justify CA/TP provisions; and (c) ML is already subject to CA provisions and the CEMP, and will already be used in connection with project delivery, such that it is not clear what actual benefits would arise; (3) As to the veteran tree, we will be investigating this in terms of arboriculture, but note that even if the tree is in fact a VT, the "interface" with it was known to have a design solution (and could be subject to further protective provisions in the CEMP for example).	
29. Furthermore, there are known alternatives to the Change 9 access provisions. (1) The previously proposed route (which, again, is not said to be disadvantageous in any substantive way save for the need to implement appropriate protective provisions around a single tree); (2) Just use Plot 2A-4 and not 2A-5 (which contains the substation); and (3) Along the Dogger Bank buried cables land (which has not been investigated by the applicant in any detail, so far as is ascertainable from the change request documentation). 30. These alternatives weigh heavily against the making of the Change 9 provisions because in each case they would not cause any of the	(1) The Applicant does not consider it appropriate to revert to the original proposal of using Meaux Lane given the existence of reasonable alternatives. The benefits of this proposed change have been summarised above, and set out the justification for this change 9 in its formal **Change Application [REP2-149]** and **Appendix 1 - Summary of Applicant's position in relation to Albanwise** contained within the **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**.

significant public disbenefits referred to above and in particular would facilitate the continued development of the two consented solar schemes which rely on the land that the application proposes to compulsorily acquire.	(2) The Applicant has provided detailed submissions as to why it is not considered that the Proposed Development would prejudice the delivery of either Field House Solar Farm or Carr Farm Solar Farm within Appendix 1 - Summary of Applicant's position in relation to Albanwise within **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**. (3) The Applicant acknowledges that Albanwise provided details of an alternative route for the access track on 10th September 2025. The Applicant carefully considered the impacts of this route (which utilises the same access point from the A1035, however turns west (instead of east) once within the boundary of Field House Solar for approximately 200m before turning south for approximately 1.2km, running parallel with the route of the SSE Dogger Bank Wind Farm cable route and adjoining the east west running farm track) compared to the route preferred by the Applicant, which routes construction vehicles across plot 2A-5, before rejoining the existing access track within plot 2A-4 and also the original route proposed which created a new access on the western side of Meaux Lane,

	approximately 1.4km south along Meaux Lane from the junction with A1035. The access would have created a new track approximately 500m in length linking Field D5 with Meaux Lane. The Applicant, after careful consideration, concluded that its preferred route, which would include the use of plot 2A-5, is a more appropriate option. The route proposed by Albanwise was not considered feasible for a number of reasons. In particular: The alternative access route would require the disturbance of otherwise undeveloped land with potential impacts on ecological receptors, soils, agricultural land and watercourses with consequential negative effect on BNG. The alternative access route does not remove the interface with construction traffic for Field House Solar or Carr Farm Solar. Construction vehicles would still potentially meet at the access to Field House Farm adjacent to the junction with the A1035. The alternative access route would also rejoin the existing access track at a location where construction vehicles for both the Proposed Development and Carr Farm Solar would be present and continue to interface. The alternative access route has a lengthy interface with the SSE Dogger Bank Wind Farm

	cable corridor. The Applicant has contacted SSE to discuss easement details but has not received any feedback to date. Therefore, this would remain an unmitigated risk until such time that engagement could take place. The Applicant communicated its reasoning for not considering this option suitable to Albanwise in a meeting on 16 October 2025.
31. Fourth: the EIA of Change 9 is flawed and unreasonable. The Updated ES (Environmental Statement Volume 4, Appendix 14.1: Transport Assessment (Tracked) (Revision 3) (REP 2-134) is as follows: "14.7.4 No baseline data has been collected for the private farm track off the A1035. For the purposes of this assessment, it is assumed that there are 0 daily vehicles on the basis that it is likely to generate only a small number of daily vehicles associated with the small number of residential dwellings and a farm." 32. Two points should be noted. 33. First, Change 9 has been promoted on the basis of no baseline data having been collected for the private track, despite the applicant being well aware that this track serves: (1) Two solar farm schemes which are in the process of implementation; (2) The properties at Field House Farm; and (3) Albanwise's 360 ha. Agricultural holding to the south;	The Applicant has liaised with Albanwise who have provided estimates of traffic flows using the private farm track. The estimates provided have informed assessments of the track and the Applicant has responded with details of the proposed management measures which will be implemented to address concerns of the cumulative impact.

34. Yes, despite this, the absurd assumption is made that the farm track is not currently subject to any use whatsoever. Cumulative use and therefore cumulative effects have been entirely ignored. 35. This is the basis on which the ES concludes that there would be no significant environmental effects. This is a major failing in terms of EIA. Until that assumption is revisited, rectified and re-consulted on (such that cumulative effects with the farming operations, FHF tenants' use and 2 x solar schemes are considered) the ES does not provide a lawful basis to proceed with the changes. It is unreasonable and fails to provide the requisite environmental information to the ExA. 36. At this point, the highways implications of the junction arrangements including visibility splays etc. cannot be understood let alone tested and examined. Albanwise is therefore instructing its own transport engineer to provide a technical evidence-based assessment of matters which will be contained in its WRs. This will need to be examined (as will the applicant's response to it) in the context of this examination – this is one of the reasons why Albanwise are clear that it is procedurally unfair to propose truncating the examination so severely, and is why a reg/11 meeting is in fact amply needed	
37. Fifth: the applicant has failed to update the Funding Statement to reflect the fact that Change 9 will prevent the Field House Solar Farm from being implemented in time for its 2027 grid connection date. The applicant's significant balance sheet resource, and commitment to funding, is noted. Yet this Project will have its own funding envelope (about which no details have been given by the applicant). However the applicant has not recognised that the provisions in Change 9 will at worst	The Applicant does not agree that Change 9 will impact the ability of Field House Solar Farm to meet its 2027 grid connection date and therefore does not consider it appropriate to account for this within the Funding Statement.

render the Field House Farm unimplementable and at best will delay its implementation by a number of years. The costs of that, under the compulsory purchase compensation code, would be strikingly significant. That is something that needs to be considered carefully by the applicant and the Funding Statement should make it clear that this can truly be accommodated within the funding envelope for this project.	
<u>Outline responses to applicant's oral submissions</u>	
38. Albanwise disagree with the characterisation of their engagement with Albanwise as "positive". In fact, there is a major dispute between the applicant and Albanwise in the sense that the applicant (wrongly) considers that the Change 2(9) provisions would not impede Albanwise's ability to deliver the Field House Farm Solar Farm. Albanwise categorically consider that the provisions would materially prejudice the ability to deliver the scheme, as consented.	The Applicant notes this comment. The Applicant acknowledges that there is some overlap between plot 2A-5 and Field House Solar Farm infrastructure. However, it was the Applicant's intention when extending the Order Limits to include plot 2a-5 to work with Albanwise to develop a track layout that works with the layout of Field House Solar Farm and Albanwise's proposals. The Applicant is committed to ensuring there will be no impact on Field House Farm Solar through proposing a co-operation requirement and interface agreement with Albanwise. The Applicant is confident that agreement will be reached with Albanwise and emphasises that issues will be resolved once commercial terms are agreed. In any event, if agreement is not reached then the provisions now set out within the **draft DCO [EN010157/APP/3.1 Revision 9]**

	at Schedule 2, Requirement 16 ensure that the Proposed Development would not prejudice the development of the Field House and Carr Farm Solar Farms, respectively. This approach to the management of interfaces between distinct projects is precedented in The Thurrock Flexible Generation Plant Development Consent Order 2022 which provided assurance to National Highways in relation to their Lower Thames Crossing scheme and The Portishead Branch Line (MetroWest Phase 1) Order 2022 which included a co-operation requirement with National Grid. The Applicant notes that the level of interface in those schemes was significantly greater than that which exists in the circumstances of this case. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16, Schedule 2 of the **draft DCO [EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this

	requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].**
39. At the heart of this issue lies a mistaken assumption on the part of the applicant that the arrangement and parameters of the solar scheme are flexible. That is wrong. The parameters of the scheme are fixed by a full (and not an outline) planning permission. Any changes in layout would be dependent on having to secure a further planning permission, and the delay that this would entail would make it impossible to meet the grid connection date of 2027.	The Applicant notes this comment and acknowledges the misunderstanding over potential amendments to Field House Solar Farm. The Applicant was originally under the impression from discussions with Albanwise's agent that there may be future amendments to the layout of Field House Solar Farm but now acknowledges that this is not Albanwise's position and there is no intention to make changes to the Field House Farm Layout. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16, Schedule 2 of the **draft DCO [EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].**

40. It is not in fact yet known whether the District Network Operator ("DNO") will facilitate a later grid connection date, and indeed whether the applicant's own NSIP proposals will impact the grid to such an extent that it will not be able to absorb electricity from the Field House Farm solar scheme at all.	Field House Solar Farm connects directly into the 132kv overhead line and not Creyke Beck substation. It is for the NESO and DNO, not the Applicant, to manage connections appropriately.
41. Albanwise also consider that the applicant's answer to the question posed by the ExA as to why and whether Plot 2A-5 was in fact "needed" for the project was telling. In effect although they claimed that the whole plot was needed, the justification for this was to increase the separation between the access road and the properties at Field House Farm. But the applicant was not able to explain what that separation needed to be, whether alternative measures (such as an acoustic barrier) would serve whatever purpose was served by separation, and whether they in fact needed the whole of Plot 2A-5 as opposed to a small part of it adjacent to Plot 2A-4 in order to facilitate that setback. 42. Part of the context for this is that in consultation letters dated 6 August 2025 and 14 August 2025 the applicant did not propose TP in respect of Plot 2A-5 (and only CA of Plot 2A-4). It was only on 29 August 2025 (just 7 days before the 2010 regulations Deadline 1 – that deadline improperly not having been extended by the applicant) that the applicant proposed TP of Plot 2A-5, which came as a surprise to Albanwise, and an unwelcome one at that given that the substation and grid connection apparatus for the Field House Farm is proposed to be situated on that plot, and can only be situated there because that is where the DNO has facilitated a grid connection into the adjacent 132kV overhead power lines.	As previously stated, the Applicant acknowledges that the access track works will not require the use of the entirety of plot 2A-5, rather this was included in an attempt to work with Albanwise to develop a track layout that was appropriate and could work with Field House Farm. The plot was included following concerns raised by Albanwise's tenants and discussions with Albanwise's land agent on 22 August 2025. The Applicant has continued to seek to engage in productive conversations with Albanwise to clarify what the extent of use would be. More detailed layout plans and junction designs have now been shared with Albanwise (12/11/25) to include plans showing interface and road width, passing place provision and cumulative traffic volumes. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16, Schedule 2 of the **draft DCO**

43. This is entirely unsatisfactory. If the applicant considers that the CA/TP provisions in respect of Plot 2A-5 are justified it should at the very least be expected to explain what the proposals for that plot are. This uncertainty is intolerable, and it is for this reason that Albanwise have (for weeks) been asking for plans for the access arrangements through Plots 2A-4 and 2A-5 (such as cumulative traffic volumes, road build up, culvert interface designs, road width and passing place provision) but to date no information has been provided save for swept path analysis for the junction, and generic information about access arrangements for the project as a whole, i.e. nothing site specific.	**[EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].**
44. The applicant has (belatedly) proposed a DCO requirement to deal with the interface between their project and the Field House Farm solar farm, and argues that this will be a panacea because it will require the applicant to minimise any disruption to the construction and operation of the Field House and Carr Farm Solar Farms (but, notably, not Albanwise's farming operations which also use Plot 2A-4 as an access) so far as reasonably practicable. This solves nothing since, even if the applicant minimises disruption so far as is reasonably practicable, the level of disruption will still prevent grid connection being achievable. The reality is that the Field House Farm scheme is so dependent on Albanwise's exclusive use of Plot 2A-5 that any disruption with that position will cause unacceptable levels of harm that cannot be justified in the context of s.122 PA 2008.	The Applicant promptly provided Albanwise with a DCO requirement which ensures co-operation between the relevant parties once it was confirmed to the Applicant that the previous message of flexibility to the layout was no longer accurate. The Applicant notes that an interface agreement was provided to Albanwise on 27 October – less than a week after the CAH1. Further details on the practical management of the interface were provided on 30 October 2025, 4 November 2025 and 12 November 2025 with a meeting between the Applicant and Albanwise's transport advisors on 7 November 2025.

	The Applicant has no intention to install the proposed construction access across any part of Albanwise's development that would directly impact the proposed substation, or where panels are eventually constructed. The Applicant has proposed drafting within the DCO to provide this assurance which demonstrates the level of confidence that the Applicant has as it is willing to provide a statutory obligation to this effect. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16, Schedule 2 of the **draft DCO [EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].**
<u>Conclusions</u>	
45. The applicant's Change 9 provisions would almost literally drive a coach and horses through a consented solar farm which is capable of delivering badly needed renewable energy to the grid in 2027. Early (pre-	The Applicant disagrees with this assertion. The Applicant remains confident that it can design an

2032) grid connection dates for renewable schemes are rare and it is an imperative that schemes which benefit from them must be facilitated. It would at worst knock out, and at best significantly hamper and delay this scheme coming online. It would also hamper the construction and phasing plans for a second solar farm which depends on the Change 9 land for access. The applicant has not, apparently, given any thought to these matters, and has assumed that the access track is in effect in a nil use. In this context the justification advanced for the Change 9 provisions – namely that they would have "some attraction" – falls astonishingly far from the mark.	access route that would not impede Field House Solar or Carr Farm Solar. The Applicant has provided detailed submissions as to why it is not considered that the Proposed Development would prejudice the delivery of either Field House Solar Farm or Carr Farm Solar Farm within Appendix 1 - Summary of Applicant's position in relation to Albanwise within **Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038]**..
46. On the 17th of October 2025 (only two days before CAH1) the applicant provided Albanwise with a draft cooperation provision proposed to be included in the Order as a new Requirement 16 'Interaction with Field House and Carr Farm Solar Farms'. The draft Requirement requires RWE to use reasonable endeavours to minimise any conflict arising between the carrying out and maintenance of the Proposed Development and the carrying out and maintenance of the Field House Solar Farm and Carr Farm Solar Farm developments; to co-operate with Albanwise so as to co-ordinate construction programming to minimise disruption to the construction and maintenance of Field House Solar Farm and Carr Farm Solar Farm; to provide a point of contact for continuing liaison; and to exercise compulsory acquisition and temporary possession powers in a manner that minimises disruption to Field House Solar Farm and Carr Farm Solar Farm. Unfortunately, this proposed Requirement does not include binding commitments to Albanwise so as to provide Albanwise with the certainty it needs that	The Applicant promptly provided Albanwise with a DCO requirement which ensures co-operation between the relevant parties once it was confirmed to the Applicant that the previous message of flexibility to the layout was no longer accurate. The Applicant notes that an interface agreement was provided to Albanwise on 27 October – less than a week after the CAH1. Further details on the practical management of the interface were provided on 30 October 2025, 4 November 2025 and 12 November 2025 with a meeting between the Applicant and

Carr Farm Solar Farm, and Field House Solar Farm in particular, will be able to proceed unhindered and be completed in time to meet their connection deadlines. It falls very far from the mark of what is required to base an investment decision on the Field House Solar Farm project on.	Albanwise's transport advisors on 7 November 2025. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16, Schedule 2 of the **draft DCO [EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].**
47. For these reasons Change Request 9 should not be confirmed. The applicant should voluntarily withdraw it and in default of that the ExA should either recommend a reversion to the previous arrangements for access from ML into Land Area D or should confirm the DCO without any of the Change Request 9 provisions, which will leave Albanwise and the applicant to arrange terms on a private basis. That would accord with para. 16 of the 2013 CA guidance which is as follows: "16. There may be circumstances where the Secretary of State could reasonably justify granting development consent for a project, but decide against including in an order the provisions authorising the compulsory acquisition of the land. For example,	The Applicant is confident that agreement will be reached with Albanwise and emphasises that issues will be resolved once commercial terms are agreed. In any event, if agreement is not reached then the provisions now set out within the **draft DCO [EN010157/APP/3.1 Revision 9]** ensure that the Applicant would not be able to prejudice the development of the Field House and Carr Farm Solar Farms. The Applicant, in order to provide further comfort to Albanwise, has amended Requirement 16,

	this could arise where the Secretary of State is not persuaded that all of the land which the applicant wishes to acquire compulsorily has been shown to be necessary for the purposes of the scheme. Alternatively, the Secretary of State may consider that the scheme itself should be modified in a way that affects the requirement for land which would otherwise be subject to compulsory acquisition. Such scenarios could lead to a decision to remove all or some of the proposed compulsory acquisition provisions from a development consent order.'	Schedule 2 of the **draft DCO [EN010157/APP/3.1 Revision 9]** to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (18/11/25) and is included in the **draft DCO [EN010157/APP/3.1 Revision 9].** This approach to manage interfacing projects is precedented in The Thurrock Flexible Generation Plant Development Consent Order 2022 which provided assurance to National Highways in relation to their Lower Thames Crossing scheme and The Portishead Branch Line (MetroWest Phase 1) Order 2022 which included a co-operation requirement with National Grid. The Applicant notes that the level of interface in those schemes was significantly greater than that which exists in the circumstances of this case.

2.7 George Swallow

2.7.1 Table 6 below provides the Applicant's response to key topics raised within George Swallow's **Deadline 4 Submission [REP4-087]** document submitted at Deadline 4.

Table 6: Applicant's Response to points raised by George Swallow at Deadline 4

George Swallow Response Summary	Applicant Response
Context from Scientific and Professional Literature	
Peer-reviewed research by Edwards and Dobson (2024)(Fire Technology, Springer) demonstrates that lithium-ion BESS installations "undoubtedly pose specific and unique hazards in the event of fire" and that "there are no established standards and regulations concerning the safety standards of these large BESS installations." The authors highlight that even so-called "safer" LFP cells can form explosive vapour clouds and fluorinated toxic gases (HF and PFAS) during thermal runaway. They conclude that a pause in UK BESS deployment is warranted until statutory health-andsafety regulations are established [1]. The professional article "Preventing the Next Battery Incident: Rethinking Battery Energy Storage Safety"(The Chemical Engineer, June 2025, Issue 1008) echoes these	In the absence of any UK direct legislation regarding BESS safety, the US NFPA855 Standard for the Installation of Stationary Energy Storage Systems is used by the majority of BESS manufacturers. As a result, the Underwriters Laboratory (UL), the US equivalent of the British Standards Institute, has developed BESS Safety Design Guidance under UL1973 and BESS Safety Testing Standards under UL9540. The majority of BESS being imported to the UK are now compliant with these UL standards. To state there are 'no established standards and regulations' is misleading and incorrect.

concerns and calls for unified national standards and mandatory risk-assessment protocols [2].	
Summary of Principal Concerns	
1. Absence of enforceable regulation: Large-scale BESS installations currently fall outside statutory regimes such as COMAH; HSE is not a formal consultee [1]. 2. Intrinsic fire and explosion hazard: All Li-ion chemistries carry thermal-runaway risk; LFP cells in particular have high explosion indices 3. Toxic emissions and contaminated fire-water:Hydrogen fluoride and PFAS compounds have been detected in BESS fire emissions 4. Groundwater and MATTE risk: Uncontained runoff could pollute sensitive aquifers; the Environment Agency confirmed aquifer sensitivity at ISH2. 5. Operational standards and emergency response:NFCC (2023) requires 6 m container spacing, two access routes, and 1 900 L/min water supply for ≥ 2 h[3]; these have not been demonstrated.	This summary of principal concerns is noted. These are responded to in more detail below. However, HSE are a statutory consultee and were contacted on 24/09/2025 but no response was received – refer **Consultation Report [REP4-078]**.
Technical Questions for the Applicant	
1. Major Accidents and Disasters Assessment (MA&D) Provide the latest MA&D Assessment for the Peartree Hill Solar project. It should apply formal process-safety	As set out in **ES Volume 1, Chapter 5: Approach to the EIA [APP-041]** and **ES Volume 4, Appendix 5.2: Scoping Opinion [APP-098]**, the Planning Inspectorate agreed that

methods (HAZID, HAZOP, QRA, LOPA, SIL verification) and emergency planning standards consistent with the RWE Byers Gill Solar precedent (EN010139-000289) [5].	major accidents and disasters could be scoped out of the Applicant's assessment as the risk of these would be considered throughout the design process.
2. Major Accident to the Environment (MATTE) and Groundwater Risk Confirm that the MA&D includes MATTE scenarios for release of electrolytes, toxic gases, and contaminated fire-water. Edwards and Dobson (2024) identify HF and PFAS generation during such events [1]. Provide a worked containment design calculation (bunds, lagoons, interceptors) sized for NFCC-recommended water-application rates [3]	As explained in **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030],** the proposed drainage arrangements and mitigation is cognisant of the need to minimise the release of contaminants. This is in accordance with the NFCC Grid Scale Battery Energy Storage System planning – Guidance for FRS, which states that 'Consideration should be given, within the site design, to the management of water run-off (e.g. drainage systems, interceptors, bunded lagoons etc)'. Such consideration has been made with a drainage approach proposed that minimises the potential release of contaminants.
3. Aquifer Sensitivity and Environmental Safeguards The Environment Agency confirmed at ISH2 that underlying aquifers are sensitive and used for abstraction. Show how the MA&D and hydrogeology chapters have been revised accordingly, including risk ranking and barrier design to prevent contamination.	The potential for degradation to the WFD receptors is a key part of **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030].** This assessment also considers the potential pathway for pollutants to enter the chalk aquifer, including the consideration of the depth to the aquifer as well as the various mitigation measures proposed to minimise the source and disrupt the pathway, concluding that the risk is sufficiently low to not warrant a full WFD assessment. It

	should be noted that water and hydrology was scoped out of the ES process, demonstrating the likely impacts on the water environment are not significant.
4. Safety Instrumented Functions (SIFs) and Independence If the BMS (Battery Management System), thermal sensors, isolation, or suppression systems are credited as safety barriers, confirm that each has been assessed per IEC 61508/61511 (LOPA and SIL determination) and that independence from basic control is demonstrated. The Chemical Engineer (2025) notes that most UK BESS BMS configurations lack verified functional-safety certification [2].	Within a BESS there are multiple Battery Management Systems (BMS). Battery/Module BMS monitor the cell temperature, voltage, charge rates and conduct cell balancing. The data collected by the BMS is multiplexed to the Rack BMS which monitors the operational status of all the batteries /modules within the rack. The Rack BMS reports the status to the centralised Enclosure BESS, which in turn is monitoring all the racks within the BESS along with the status of the Fire Detection and Suppression System, the HVAC/ECU and the status of the Enclosure doors and hatches. All the data is also transmitted from the BES BMS to a remote 24/7 Operational Control Room. As detailed previously the majority of BESS imported to the UK will be subject to UL1973 and UL9540 standards. IEC 61508/61511 and Sil specifically relates to Safety Significant control system, in which the failure a Safety Instrument System or Safety Instrumented Function could result in a fatality. The loss of functionality in a BESS control system is not life threatening given the remote operating nature of BESS.

5. Applicability of Government Guidance Confirm that the project qualifies as a grid-scale installation and complies with the UK Government guidance Health and Safety in Grid-Scale Electrical Energy Storage Systems (DESNZ, 2023) [4]. Provide a section-by-section compliance matrix covering hazard identification, emergency response, and cybersecurity for remote BMS control.	The contents of the DESNZ H&S Guidance are not as detailed as that provided by NFCC Planning Guidance, A NFCC compliance matrix and a hazard log (in which all hazards have been identified) are within the **Outline BSMP [EN010157/APP/7.6 Revision 3]**. The ERP forms an element that is produced post consent in consultation with the FRS.
6. NFCC Guidance Compliance Provide a formal design-compliance statement against NFCC (2023) Grid-Scale Battery Energy Storage System Planning – Guidance for FRS [3], including container separation distances, access/egress arrangements, water-supply capacity, and turning-circle geometry.	This has been addressed in the **Outline BSMP [EN010157/APP/7.6 Revision 3]**, which is aligned to NFCC Planning Guidance
7. Fire-Water Runoff Management Identify the engineered measures for containing contaminated water (e.g. graded drainage, valves, interceptors, bunded lagoons). Provide capacity sizing based on anticipated application rates and durations, and on potential activation of fixed systems. Edwards and Dobson (2024) highlight that fluorinated compounds and heavy-metal salts in fire-water represent a long-term environmental hazard [1].	This is explained in detail in **ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [REP1-030],** notably sections 3.4 and 3.5**.**
8. Adequacy of Water Supply Demonstrate that hydrant and/or tank supplies meet NFCC requirements (≈ 1 900 L/min for ≥ 2 h). Identify hydrant locations, suction points, and stored water volumes, and confirm that supply remains	This has been addressed in the **Outline BSMP [EN010157/APP/7.6 Revision 3]**, which is aligned to NFCC Planning Guidance.

available under adverse conditions. NFCC (2023) states that insufficient water supply must not dictate suppression-system choice [3].	The adequacy of water supplies requirement set out in the NFCC Planning Guidance when applied to a de-centralised DC-coupled battery arrangement is not proportionate. No water storage is proposed on site as sufficient water can be carried by FRS appliances for a DC-coupled battery site for boundary cooling purposes The availability of water has not been a consideration in selecting the appropriate fire suppression system.
8. Adequacy of Water Supply Demonstrate that hydrant and/or tank supplies meet NFCC requirements (≈ 1 900 L/min for ≥ 2 h). Identify hydrant locations, suction points, and stored water volumes, and confirm that supply remains available under adverse conditions. NFCC (2023) states that insufficient water supply must not dictate suppression-system choice [3].	This has been addressed in the **Outline BSMP [EN010157/APP/7.6 Revision 3]**, which is aligned to NFCC Planning Guidance. The adequacy of water supplies requirement set out in the NFCC Planning Guidance when applied to a de-centralised DC-coupled battery arrangement is not proportionate. No water storage is proposed on site as sufficient water can be carried by FRS appliances for a DC-coupled battery site for boundary cooling purposes The availability of water has not been a consideration in selecting the appropriate fire suppression system.
9. Access, Egress, and Geometry Provide plans showing two independent access routes allowing for opposing wind directions and sufficient turning circles for FRS appliances. The Outline Battery Safety Management Plan (Appendix 1, Table 1, p. 21) indicates 3 m between BESS units; justify	There are multiple routes in and out of the Site and access to all BESS compounds will have a minimum of two points of access. The distance between BESS units is 3m for sides that contain access panels or doors. The positioning of the

this spacing against the NFCC suggested 6 m minimum or present equivalent engineering mitigations.	BESS units in the cluster arrangement is cognisant of the BESS manufacturers guidance and instruction. The NFCC Planning Guidance recommendation for a 6m separation is based on a 2017 Issue of the FM Global Loss and Prevention Datasheet 5-33 (footnote 9 in the NFCC Guidance). This Datasheet is current at the April 2025 it now details the following: 1. For containerized LIB-ESS comprised of Lithium iron phosphate (LFP) cells, provide aisle separation of at least 5 ft (1.5m) on sides that contain access panels, doors, or deflagration vents. 2. For containerized LIB-ESS comprised of Lithium nickel manganese cobalt (NMC) cells where wall construction is unknown or has an ASTM E119 rating less than 1 hour, provide aisle separation of at least 13 ft (4.0 m) on sides that contain access panels, doors, or deflagration vents. For containerized NMC LIB-ESS where wall construction is documented as having at least a 1-hour rating in accordance with ASTM E119, aisle separation of at least 8 ft (2.4m) is acceptable. Additionally, the DESNZ Health and Safety Guidance for BESS (which is quoted by Mr Swallow) states that the separation distance, for sides with access panel, doors or deflagration panels should be a minimum of 1.5m.

	The BESS units on the site are 3m apart, which given current FM Global and Department for Energy Security and Net Zero (DESNZ) guidance, is twice the recommended 1.5m spacing.
10. Design-Basis Data for BESS Containers For each BESS container type, provide manufacturer, model, energy capacity (MWh), cell chemistry, electrolyte inventory, deflagration-vent design, door fire rating, and separation distance used in fire engineering analysis. Cross-reference to general-arrangement drawings. Edwards and Dobson (2024) note that insufficient public transparency regarding BESS design parameters is a recurring safety weakness in UK projects [1].	Determination of the BESS Units to be employed is not required at DCO determination stage, prior consents supporting this stance exist (for example, Cleve Hill Solar Park DCO, Stapleford and Langford Solar Farm). All BESS in use in the UK have to comply with HSAWA and will be as a minimum UL9540A compliant - it is difficult to procure BESS units that are not compliant to International Guidelines for the UK and EU.
Additional Evidence and Public-Health Context	
The UK Health Security Agency raised concerns about the proposed Navenby BESS (2024), stating that non-compliant spacing and lack of runoff containment could "significantly increase the probability of a domino effect (thermal runaway)" and risk "release of highly toxic fire-water runoff containing heavy metals and corrosive acids into the aquifer." These concerns were reported by the BBC (2024) and remain directly relevant to Peartree Hill [6][7].	The issue of spacing and separation has been addressed previously – see above.

The Planning Inspectorate dismissed an appeal and refused planning permission for the Pound Road BESS. The reasoning included that there is a tangible risk that firewater would become contaminated, and subsequently that that firewater would go on to contaminate the water supply, if it were to reach the aquifer. Thus, even though the risk of fire would be low and the risk of firewater becoming contaminated could be very low, the consequences of such an event would be potentially significant to human health. Please consider whether the Peartree Hill submitted proposals demonstrates adequate measures for the containment and removal of contaminated firewater, as potential spreading could contaminate the aquifer, and adversely affect the health of nearby residents [8].	The Pound Road BESS proposals are not comparable to the Proposed Development. Primarily, Pound Road proposed a concentrated BESS rather than dispersed. The Appeal was dismissed partly due to a lack of evidence regarding the management of fire effluent, which is not the case for the Proposed Development.
Closing	
Given the hazards identified in recent peer-reviewed research and official guidance, the Applicant should update and disclose its MA&D and Environmental Risk Assessments to address the points above. All assessments should demonstrate how risks to people, property, groundwater, and the environment are reduced so far as reasonably practicable and how compliance with NFCC and gov.uk guidance is achieved. I request that	The Applicant considers that all the points raised have been addressed and therefore does not consider the submission of further documentation necessary.

these revised documents be submitted to the Examining Authority no later than Deadline 5	
References	
1. Edwards P. P. & Dobson P. J. (2024) Remarks on the Safety of Lithium-Ion Batteries for Large-Scale Battery Energy Storage Systems (BESS) in the UK. Fire Technology, Springer, DOI . The Chemical Engineer (2025) "Preventing the Next Battery Incident: Rethinking Battery Energy Storage Safety." Issue 1008, June 2025, pages 40 to 43, Institution of Chemical Engineers, London. 3. National Fire Chiefs Council (NFCC) (2023) Grid-Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Services. NFCC UK. 4. Department for Energy Security and Net Zero (DESNZ) (2023) Health and Safety in Grid-Scale Electrical Energy Storage Systems. Gov.uk Guidance Publication. 5. RWE Renewables UK Swindon Ltd (2023) Byers Gill Solar – Environmental Statement Appendix 2.5: Major Accidents and Disasters Assessment (EN010139-000289). Planning Inspectorate National Infrastructure Planning Library. 6. UK Health Security Agency (UKHSA) (2024) Formal consultation response to the Navenby BESS planning application.	

7. BBC News (2024) "'Design Failure' Poses Fire Risk at Battery Site."	

3 Responses to additional submissions

3.1.1 Sections 3.2 to 3.3 below provide the Applicant's response to additional submissions, accepted at the discretion of the Examining Authority.

3.2 Caroline Mary Caley

3.2.1 Table 7 below provides the Applicant's response to Caroline Mary Caley's submission **[AS-021]**, accepted at the discretion of the ExA on 20 October 2025.

Table 7: Applicant's response to Caroline Mary Caley's submission accepted at the discretion of the ExA on 20 October 2025

Caroline Mary Caley's Submission	Applicants Response
1.0 Matters of concern: Passing places in Meaux Lane, Routh	
1.01 The affected person (AP) has no objection to the overall scheme and proposed development of a solar farm.	The Applicant notes this.
1.02 The AP is aware that the local highways authority are seeking amendments to the applicant's development consent to provide road widening/passing places along	The passing places along Meaux Lane were submitted as part of the Application made to the ExA in February 2025. These were proposed by the Applicant following discussion over appropriate mitigation required to ensure HGV access via Meaux Lane and in consultation with ERYC Local

parts of Meaux Lane to allow HGV's to pass during the construction phase of the project.	Highway Authority and the area engineers (highways officers for a delegated area of East Riding of Yorkshire). The proposed mitigation on Meaux Lane / Meaux Road also includes a temporary speed limit reduction to 30mph which has enabled passing places to be provided at fewer intervals and a reduced overall impact on hedgerows and verges. Widening of the carriageway has been provided on some bends where visibility is obstructed by hedgerows with the aim of retaining as much hedgerow as possible. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers.
1.03 The AP has received plan drawings (Drawing N: OP-J002-C-10), from the applicant detailing the possible positioning of passing places on their land shown as Appendix A attached to this representation.	The Applicant confirms that they have provided these plans.
1.04 These plan drawings have been annotated in order to correlate to a suite of photographs taken on 16th October to assist in illustrating the representation of the AP to the Examining Authority (ExA) made below. These are shown in Appendix B.	The Applicant notes this.
1.05 The AP has been told by the developer that the Highways Authority consider passing places of	The Applicant notes this comment. In relation to the passing places, the maximum extent of land required would measure approximately 3.5m wide by 40m in length. However, at this stage of design, an indicative boundary has been utilised.

approximately 30 metres in length need to be built, to an adoptable standard by the applicant.	This will be refined at the detailed design stage, and the Applicant would highlight that the parameter for the passing places is secured under the **Design Parameters Document [REP4-059]** ("Passing places will be 20m in length with the provision of 10m tapers at each end") ensuring the works are delivered in accordance only with what is necessary.
1.06 The AP has been told the carriageway width to allow HGV's to pass safely during the construction period, need to be at least 7.5 metres in width. Consequently, the areas highlighted (or parts thereof), may need to be acquired for this purpose.	Passing places will not be provided at a greater width than 7.5m, this width includes the existing road width. Additional areas of land are required in order to construct the passing place so will not include an area of additional new carriageway beyond the 7.5m.
1.07 The proposed land area shown as being 0.09 acres is garden land/small paddock [redacted text].	The Applicant notes these comments. The Applicant has contacted the Interested Party's agent in order to seek further clarity as to the garden land/ paddock which is identified as being included within the Order Limits for the Proposed Development. The Applicant will continue to engage with the Interested Party's agent regarding the interface between the proposed passing places and the Interested Party's landholding. The Applicant would note that details of the design of any passing places would need to be submitted to and approved in writing by the local planning authority, in accordance with requirement 3 of the **draft DCO [EN010157/APP/3.1 Revision 9]**. The design of the passing places would also need to accord with the **Design Parameters Document [REP4-059]**, which specify
1.08 To the highway verge, the boundary of this land parcel is a timber post and rail fence and established line of ornamental trees (see plan & photo ref. numbers 1., 2 and 3.)	
1.09 The proposed land area shown on the plan drawing as being 0.16 acres is the [redacted text].	
1.10 To the highway verge, the boundary of this land parcel is an established thorn hedge. There is a stoned access extending over a culverted drain (see plan & photo ref. numbers 4., 5., 6., 7., 8. & 9.)	

1.11 On the opposite side of the carriage way [redacted text], the AP has created a 'dry dike' the intention of which is not to be a water course, but to prevent trespass [redacted text].	that the maximum width of the passing places would be 8.5m, the maximum length would be 20m with the provision of 10m tapers at each end. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users.
2.0 Specific Reasons for an Objection	
2.01 Loss of established ornamental trees and intrusion into [redacted text] illustrated by photos 1., 2, & 3. Such is felt to significantly affect the amenity and privacy of the property garden.	The Applicant notes this specific reason for objection.
2.02 Loss of an established hedgerow [redacted text], as illustrated by photos 6., 7., 8. & 9.	The Applicant notes this specific reason for objection. Sheet 2 of **Tree Preservation Order and Hedgerow Plans [REP4-004]** shows the extent of hedgerow that may be lost as a result of passing places. Any section of hedgerow that is removed to create the passing place will be reinstated as part of the construction of the passing place.
3.0 General Reasons for an Objection	

3.01 Traffic calming measures over the last couple of years have been introduced by the highway's authority to both Meaux Land and Meaux Road, which forms an alternative access from the A1035 carriageway leading east from the nearby Market Town of Beverley to the city of Kingston upon Hull.	The Applicant notes this comment. The Applicant is proposing a 30mph speed limit on Meaux Lane and Meaux Road to reduce speeds and reduce the stopping sight distance requirements for vehicles to react to other vehicles and road users with the aim of mitigating highway safety concerns.
3.02 Measures include bollards to narrow the carriageway, together with reducing the speed limit to 40 mph. It is the AP's view these have failed and by providing these 'passing places', in the positions sought will only increase speeding by motorists and potential future serious accidents.	Signage will be provided at the north end of Meaux Lane at the junction with the A1035 to inform road users of the temporary speed reduction and use by construction traffic which will reduce speeds on Meaux Lane and may act as a deterrent for drivers using Meaux Lane as an alternative access to Hull.
3.03 The AP is aware that the highways authority are seeking several other similar passing places on their neighbours land (H N Sinkler & Sons).	The Applicant it proposing a number of passing places in agreement with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users.
3.04 The AP has entered into an Option agreement with the applicant for inclusion of land within the proposed development and is aware their neighbour H N Sinkler & Sons has done the same. The AP is also aware that to	The Applicant notes these comments. The Applicant has contacted the Interested Party's agent in order to seek further clarity as to the garden land/ paddock which is identified as being included within the Order Limits for the

reduce traffic using Meaux Lane, during the construction period, the applicant is in the process or has secured landowner rights from Routh Farms Limited, whereby access will be taken directly from the A1035. The applicant believes as a result of such the inclusion of land take from their neighbour H N Sinkler & Sons for a proposed access onto Meaux Lane, has been withdrawn. This will result in significantly less traffic needing access down Meaux Lane and therefore a significant reduction in the need for passing places. Consequently, why are highways insisting on so many passing places at the north end of Meaux Lane? Such numbers are not considered proportionate to the likely number of vehicle movements.	Proposed Development. The Applicant will continue to engage with the Interested Party's agent regarding the interface between the proposed passing places and the Interested Party's landholding. The Applicant would note that details of the design of any passing places would need to be submitted to and approved in writing by the local planning authority, in accordance with requirement 3 of the **draft DCO [EN010157/APP/3.1 Revision 9]**. The design of the passing places would also need to accord with the **Design Parameters Document [REP4-059]**, which specify that the maximum width of the passing places would be 8.5m, the maximum length would be 20m with the provision of 10m tapers at each end. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users.
3.04 Removal of established boundaries will not only mean loss of established environmental features but will raise security issues for any landowner in terms of	The Applicant notes this comment. Sheet 2 of **Tree Protection Order and Hedgerow Plans [REP4-004]** shows the extent of hedgerow that may be lost as a result of passing places. Any section of hedgerow that is removed to create the passing place will be reinstated as part of the

trespass/hare coursing over their land, together with increased fly tipping.	construction of the passing place, securing property boundaries.
3.05 Telephone and fibre internet cables are laid within the highway verge on the west side of Meaux Lane. Such is likely to be damaged, these serving [redacted text] and other neighbouring properties along Meaux Lane.	The Applicant notes this comment. Utilities will be surveyed and identified in advance of carrying out the works and standard protective measures implemented.
3.06 The AP would welcome meeting the ExA as part of or subsequent to the hearing in order to hold dialogue over the AP's concerns and proposed solutions as set out below.	The Applicant notes this comment.
4.0 The alternatives as considered by the AP	
4.01 It is considered that further dialogue between the developer and highways authority to come up with an alternative to alleviate concerns over what will be 'temporary' HGV movements during the planned period of construction.	The Applicant will continue to liaise with ERYC Highways Authority on highways matters but the proposed passing places set out in the DCO Application are the product of long-standing discussions and the Applicant is confident that the proposals are necessary and proportionate. The Applicant is not therefore proposing to bring forward any changes to the location and layout of the passing places for which development consent is sought pursuant to the DCO Application. See further response to item 3.04.
4.02 If it is considered by the ExA, absolutely necessary to grant consent to include passing places, then the AP considers the proposal to take land from the residential element of their property is not acceptable. On the	The Applicant has contacted the Interested Party's agent in order to seek further clarity as to the garden land/ paddock which is identified as being included within the Order Limits

opposite side of the carriageway to the paddock land, the boundary is open to the verge as illustrated by photo 11.	for the Proposed Development. The Applicant will continue to engage with the Interested Party's agent regarding the interface between the proposed passing places and the Interested Party's landholding. The Applicant would note that details of the design of any passing places would need to be submitted to and approved in writing by the local planning authority, in accordance with requirement 3 of the **draft DCO [EN010157/APP/3.1 Revision 9]**. The design of the passing places would also need to accord with the **Design Parameters Document [REP4-059]**, which specify that the maximum width of the passing places would be 8.5m, the maximum length would be 20m with the provision of 10m tapers at each end. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users.
4.03 Similarly the AP feels that the area 0.16 acres could be reduced and moved northwards of the carriageway in the position of the 'manmade dry dike' illustrated by photo 10.	The Applicant notes this comment.

4.04 The AP feels that traffic could be managed better by restricting HGV movements during peak periods between the hours of 7.30am – 9.30am and then again 3.30pm – 6.30pm, Mondays to Fridays.	As is outlined in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**, construction HGV traffic is restricted to between the network peak hours (9am to 4pm), Monday to Friday. The proposed restriction is considered to be proportionate by the Applicant.

3.3 H N Sinkler & Son

3.3.1 Table 8 below provides the Applicant's response to H N Sinkler & Son **[AS-022]**, accepted at the discretion of the ExA on 20 October 2025.

Table 8: Applicant's response to H N Sinkler & Son's submission accepted at the discretion of the ExA on 20 October 2025

H N Sinkler & Son's Submission	Applicants Response
1.0 Matters of concern: Passing places in Meaux Lane, Routh	
1.01 The affected person (AP) has no objection to the overall scheme and proposed development of a solar farm.	The Applicant notes this.
1.02 The AP is aware that the local highways authority are seeking amendments to the applicant's development consent to provide road widening/passing places along parts of Meaux Lane to allow HGV's to pass during the construction phase of the project.	The passing places along Meaux Lane were submitted as part of the Application made to the ExA in February 2025.These were proposed by The Applicant following discussion over appropriate mitigation required to ensure HGV access via Meaux Lane and in consultation with ERYC Local Highway Authority and the area engineers (highways officers for a delegated area of East Riding of Yorkshire). The proposed mitigation on Meaux Lane / Meaux Road also includes a temporary speed limit reduction to 30mph which has enabled passing places to be provided at fewer intervals and a reduced overall impact on hedgerows and verges. Widening of the carriageway

	has been provided on some bends where visibility is obstructed by hedgerows with the aim of retaining as much hedgerow as possible. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers.
1.03 The AP has received plan drawings (Drawing N: OP-J002-S-10), from the applicant detailing the possible positioning of passing places on their land shown as Appendix A attached to this representation.	The Applicant confirms that they have provided these plans.
1.04 These plan drawings have been annotated in order to correlate to a suite of photographs taken on 16th October to assist in illustrating the representation of the AP to the Examining Authority (ExA) made below. These are shown in Appendix B.	The Applicant notes this.
1.05 The AP has been told by the developer that the Highways Authority consider passing places of approximately 30 metres in length need to be built, to an adoptable standard by the applicant.	The Applicant notes this comment. In relation to the passing places, the maximum extent of land required would measure approximately 3.5m wide by 40m in length. However, at this stage of design, an indicative boundary has been utilised. This will be refined at the detailed design stage, and the Applicant would highlight that the parameter for the passing places is secured under the **Design Parameters Document [REP4-059]** ("Passing places will be 20m in length with the provision of 10m tapers at each

	end") ensuring the works are delivered in accordance only with what is necessary.
1.06 The AP has been told the carriageway width to allow HGV's to pass safely during the construction period, need to be at least 7.5 metres in width. Consequently, the areas highlighted (or parts thereof), may need to be acquired for this purpose.	Passing places will not be provided at a greater width than 7.5m, this width includes the existing road width. Additional areas of land are required in order to construct the passing place so will not include an area of additional new carriageway beyond the 7.5m.
1.07 The proposed areas of land take for widening the carriageway are referenced in this submission by the areas stated on the appended plan.	The Applicant notes this.
1.08 The proposed land area shown as being 0.04 acres is garden land/small paddock [redacted text] (see plan and photo 1. Showing the access and photo an established clump of thicket, trees and telephone post).	The Applicant notes these comments. The Applicant has contacted the Interested Party's agent in order to seek further clarity as to the garden land/ paddock which is identified as being included within the Order Limits for the Proposed Development. The Applicant will continue to engage with the Interested Party's agent regarding the interface between the proposed passing places and the Interested Party's landholding. The Applicant would note that details of the design of any passing places would need to be submitted to and approved in writing by the local planning authority, in accordance with requirement 3 of the **draft DCO [EN010157/APP/3.1 Revision 9]**. The design of the passing places would also need to accord with the **Design Parameters Document [REP4-059]**, which

	specify that the maximum width of the passing places would be 8.5m, the maximum length would be 20m with the provision of 10m tapers at each end. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users.
1.09 The highways authority and applicant are wishing to take numerous other land parcels from the AP as illustrated on the plan drawing which form farmland and hedging under ownership of the AP.	See above response to item 1.09.
2.0 Specific Reasons for an Objection	
2.01 A significant stretch of land 0.22 acres would be lost on the apex of a bend (see plan & photo ref. numbers 3., 4 & 5.) which mean loss and necessary replacement of an established thorn hedge as well as allowing traffic travelling in northerly direction to "cut the bend", which presently acts as a traffic calming measure.	This section of Meaux Lane has minimal passing places in order to preserve the existing hedgerows as much as possible. There is little highway verge in order to provide a passing place or carriageway widening to enable vehicles to manoeuvre the bends in the road. Therefore, this passing place was considered to be an appropriate

	location to ensure safe two-way traffic with minimal impact on hedgerows. The location and scale of passing places was agreed with ERYC. With regards to the traffic-calming effect and cutting the bend, the hedgerow either side of the passing place will remain in place which screens vehicles from oncoming traffic and provides traffic calming. Additionally, the passing place enables vehicles to pass but does not provide a straight section of road for vehicles to accelerate as the passing place tapers back to the existing carriageway width. Therefore, the traffic calming effect described by the Affected Party will remain in place.
2.02 The proposed land are 0.10 acres [redacted text] (see plan & photo ref. numbers 3., 4 & 5.). The carriageway here is already significantly wider than 7.5 metres and there currently exists issues here with littering and fly tipping. Any alterations will not only interfere with the field access, but will allow/encourage, increased instances of more 'excessive' levels of fly tipping.	The Applicant proposed a passing place at this location due to the fact that an existing passing place is located here and therefore only minor works would be required to provide a passing place of suitable size with minimal impact on hedgerows. Hedgerows run along the edge of the majority of Meaux Lane, therefore opportunities to provide passing places with minimal disruption are considered preferable. If littering and fly tipping occurs in this space this will occur whether or not the upgrade to the passing place happens or not.

	As there is an existing passing place located at this field access, the provision of a larger passing place is not considered to have an impact on the use of the field access. Vehicles would obstruct the access regardless, the proposed passing place would provide an improvement for vehicles accessing and egressing the field access onto Meaux Lane.
2.03 Parcel 0.09 acres, again currently allows for a passing place in the carriageway, wider than 7.5 metres (see plan & photo ref. numbers 9 & 10.). The AP would suffer loss of an established area of hedge in this area.	This section of Meaux Lane has minimal passing places in order to preserve the existing hedgerows as much as possible. There is little highway verge in order to provide a passing place or carriageway widening to enable vehicles to manoeuvre the bends in the road. Therefore, this passing place was considered to be an appropriate location to ensure safe two-way traffic with minimal impact on hedgerows. The location and scale of passing places was agreed with ERYC. Any hedgerow that is removed to create this passing place will be reinstated, as shown in 2.8 **Tree Preservation Order and Hedgerow Plans [REP4-004]**
2.04 Parcel 0.08 acres would create a passing place, in close proximity [redacted text] (see plan & photo ref. number 11.) which is visible on the plan. By losing an established high hedge, which presently allows for	The Applicant notes this comment. Any hedgerow that is removed to create this passing place will be reinstated, as shown in **Tree Preservation Order and Hedgerow Plans [REP4-004]**.

screening of the residential property, the AP's enjoyment of their dwelling, together with its curtilage will be compromised by the loss of this stretch of hedging. It is also felt, that between parcels 0.08 acres and 0.10 acres, there is the existing widened carriageway at parcel 0.09 acres and this is a straight stretch of highway, allowing good visibility already, between these two points.	
2.05 The AP has entered into an Option agreement with the applicant for inclusion of land within the proposed development. The AP is aware that to reduce traffic using Meaux Lane, during the construction period, the applicant is in the process or has secured landowner rights from Routh Farms Limited, whereby access will be taken directly from the A1035. The applicant believes as a result of such the inclusion of land take from the AP for a proposed access onto Meaux Lane, south of land parcel 0.22 acres has been withdrawn. This will result in significantly less traffic needing access down Meaux Lane and therefore a significant reduction in the need for passing places.	The Applicant will review the necessity and design of the passing places in discussion with ERYC as part of detailed design. The Applicant has contacted the Interested Party's agent in order to seek further clarity as to the garden land/ paddock which is identified as being included within the Order Limits for the Proposed Development. The Applicant will continue to engage with the Interested Party's agent regarding the interface between the proposed passing places and the Interested Party's landholding. The Applicant would note that details of the design of any passing places would need to be submitted to and approved in writing by the local planning authority, in accordance with requirement 3 of the **draft DCO [EN010157/APP/3.1 Revision 9]**. The design of the passing places would also need to accord with the **Design Parameters Document [REP4-059]**, which specify that the maximum width of the passing places would be 8.5m,

	the maximum length would be 20m with the provision of 10m tapers at each end.
3.0 General Reasons for an Objection	
3.01 Traffic calming measures over the last couple of years have been introduced by the highway's authority to both Meaux Land and Meaux Road, which forms an alternative access from the A1035 carriageway leading east from the nearby Market Town of Beverley to the city of Kingston upon Hull.	The Applicant notes this comment. The Applicant is proposing a 30mph speed limit on Meaux Lane and Meaux Road to reduce speeds and reduce the stopping sight distance requirements to for vehicles to react to other vehicles and road users with the aim of mitigating highway safety concerns. Signage will be provided at the north end of Meaux Lane at the junction with the A1035 to inform road users of the temporary speed reduction and use by construction traffic which will reduce speeds on Meaux Lane and may act as a deterrent for drivers using Meaux Lane as an alternative access to Hull.
3.02 Measures include bollards to narrow the carriageway, together with reducing the speed limit to 40 mph. It is the AP's view these have failed and by providing these 'passing places', in the positions sought will only increase speeding by motorists and potential future serious accidents.	
3.03 The AP is aware that the highways authority are seeking several other similar passing places on their neighbours land (Caroline M Caley) and would ask "why are highways insisting on so many passing places at the north end of Meaux Lane, that in the most where the carriageway presently exceeds 7.5 meters?" Such numbers are not considered proportionate to the likely number of vehicle movements anticipated during the construction phase of the development.	The Applicant is proposing a number of passing places in agreement with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users. The northern section of Meaux Lane has been assessed using Ordnance Survey

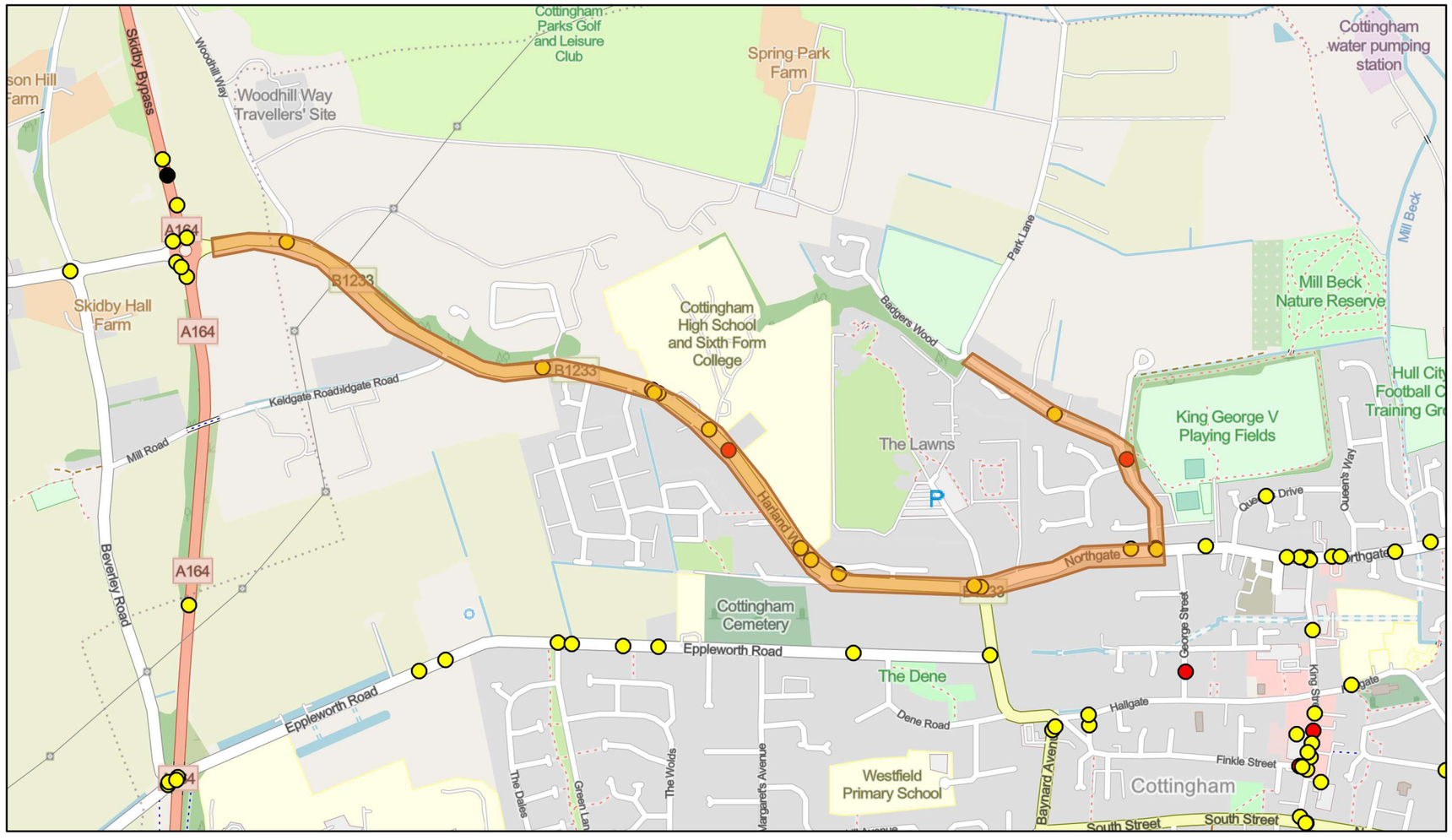
	mapping and swept path analysis which identified locations where passing places were required, the passing places will provide a carriageway width of 7.5m so the carriageway width will not exceed at passing places.
3.04 Removal of established boundaries will not only mean loss of established environmental features but will raise security issues for any landowner in terms of trespass/hare coursing over their land, together with increased fly tipping.	The Applicant notes this comment. Sheet 2 of **Tree Preservation Order and Hedgerow Plans [REP4-004]** shows the extent of hedgerow that may be lost as a result of passing places. Any section of hedgerow that is removed to create the passing place will be reinstated as part of the construction of the passing place, securing property boundaries.
3.05 Telephone and fibre internet cables are laid within the highway verge on the west side of Meaux Lane. Such is likely to be damaged, these serving [redacted text] and other neighbouring properties along Meaux Lane.	The Applicant notes this comment. Utilities will be surveyed and identified in advance of carrying out the works and standard protective measures implemented.
3.06 The AP would welcome meeting the ExA as part of or subsequent to the hearing in order to hold dialogue over the AP's concerns and proposed solutions as set out below.	The Applicant notes this request to the ExA.
4.0 The alternatives as considered by the AP	
4.01 It is considered that further dialogue between the developer and highways authority to come up with an alternative to alleviate concerns over what will be	The Applicant will continue to liaise with ERYC Highways Authority on highways matters but the proposed passing places set out in the DCO Application are the product of

'temporary' HGV movements during the planned period of construction.	long-standing discussions and the Applicant is confident that the proposals are necessary and proportionate. The Applicant is not therefore proposing to bring forward any changes to the location and layout of the passing places for which development consent is sought pursuant to the DCO Application.
4.02 If it is believed by the ExA, absolutely necessary to grant consent to include passing places, then the AP considers that any extension to the highway should not be allowed more than the 7.5 meters required.	The third party land required beyond the 7.5m width is for area required to undertake the construction of the passing place. At detailed design stage The Applicant will seek to avoid the use of any amenity/garden land unless absolutely required for the construction of the passing place. The Applicant has contacted the Interested Party's agent in order to seek further clarity as to the garden land/ paddock which is identified as being included within the Order Limits for the Proposed Development. The Applicant will continue to engage with the Interested Party's agent regarding the interface between the proposed passing places and the Interested Party's landholding. The Applicant would note that details of the design of any passing places would need to be submitted to and approved in writing by the local planning authority, in accordance with requirement 3 of the **draft DCO [EN010157/APP/3.1 Revision 9]**. The design of the passing places would also need to accord with the **Design Parameters Document [REP4-059]**, which specify that

	the maximum width of the passing places would be 8.5m, the maximum length would be 20m with the provision of 10m tapers at each end. The proposed passing places and carriageway widening have been agreed with ERYC's highway officers and area engineers. The location and scale of passing places and carriageway widening are considered by the Applicant to be in the most appropriate locations taking into account highway safety, impact on hedgerows, habitats and vegetation and enabling efficient two-way traffic movements for all road users.
4.04 The AP feels that traffic could be managed better by restricting HGV movements during peak periods between the hours of 7.30am – 9.30am and then again 3.30pm – 6.30pm, Mondays to Fridays.	As is outlined in the **Outline CTMP [EN010157/APP/7.7 Revision 6]**, construction HGV traffic is restricted to between the network peak hours (9am to 4pm), Monday to Friday. The proposed restriction is considered to be proportionate by the Applicant.

Appendix 1: Road Safety Data 2019 to mid 2024 (Park Lane Northgate Harland Way)

Department for Transport STATS19 Road Safety Data



25/11/2025, 12:24:02

Collisions 2019 - mid 2024

- Fatal
- Serious
- Slight

Vehicles 2019 - mid 2024

Casualties 2019 - mid 2024

1:17,858

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

Peartree Hill Solar Farm - Park Lane, Northgate and Harland Way Collision Data

January 2019 to December 2023 (plus unvalidated mid-2024)

Collision Summaries

Peartree Collision Reference	DfT Collision Reference	Collision year	Date	Time	Collision severity	Number of vehicles	Number of casualties	Enhanced severity collision	Day of week	First road class	First road number	Light conditions	Road type	Speed limit	Junction detail	Junction control	Pedestrian crossing human control	Pedestrican crossing physical facilities	Weather conditions	Road surface conditions	Special conditions at site	Carriageway hazards	x-coordinates	y-coordinates
1	160859626	2019	16/07/2019	08:25:00	Slight	2	1	Slight	Tuesday	Unclassified	n/a	Daylight	Single carriageway	30	T or staggered junction	Give way or uncontrolled	None within 50 metres	Zebra	Fine no high winds	Dry	None	None	504286	433209
2	160886896	2019	11/10/2019	12:16:00	Slight	2	1	Slight	Friday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Raining no high winds	Wet or damp	None	None	503027	433550
3	160978584	2020	29/08/2020	09:35:00	Slight	2	1	Slight	Saturday	B	1233	Daylight	Single carriageway	30	T or staggered junction	Auto traffic signal	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Dry	None	None	503369	433432
4	160980849	2020	12/09/2020	15:02:00	Slight	2	1	Slight	Saturday	Unclassified	n/a	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Dry	None	None	504072	433479
5	161008209	2020	07/12/2020	15:10:00	Slight	2	1	Slight	Monday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Dry	None	Other object on road	503263	433503
6	161044097	2021	06/05/2021	11:10:00	Slight	2	1	Slight	Thursday	B	1233	Daylight	Single carriageway	30	Mini-roundabout	Give way or uncontrolled	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Dry	None	None	503916	433127
7	161060340	2021	18/06/2021	15:00:00	Slight	1	1	Slight	Friday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	Zebra	Fine no high winds	Dry	None	None	503560	433195
8	161064648	2021	18/06/2021	16:17:00	Slight	1	1	Slight	Friday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	Zebra	Other	Wet or damp	None	None	503582	433171
9	161094546	2021	04/10/2021	08:55:00	Slight	1	1	Slight	Monday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Dry	None	None	503251	433510
10	161132299	2022	13/01/2022	13:17:00	Serious	2	1	Moderately Serious	Thursday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Wet or damp	None	None	503409	433391
11	161218648	2022	12/08/2022	13:06:00	Slight	2	1	Slight	Friday	B	1233	Daylight	Single carriageway	40	T or staggered junction	Give way or uncontrolled	None within 50 metres	No physical crossing facilities within 50 metres	Fine no high winds	Dry	None	None	502499	433794
12	161234641	2022	23/08/2022	13:45:00	Slight	2	2	Slight	Tuesday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	Zebra	Fine no high winds	Dry	None	None	503255	433505
13	161291832	2023	29/03/2023	15:03:00	Slight	2	1	Slight	Wednesday	B	1233	Daylight	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Raining no high winds	Wet or damp	Roadworks	None	503639	433144
14	161371725	2023	07/11/2023	09:37:00	Serious	2	1	Less Serious	Tuesday	Unclassified	n/a	Daylight	Single carriageway	30	T or staggered junction	Give way or uncontrolled	None within 50 metres	No physical crossing facilities within 50 metres	Other	Wet or damp	None	None	504221	433390
15	161384111	2023	07/12/2023	17:20:00	Slight	1	1	Slight	Thursday	Unclassified	n/a	Darkness - lights lit	Single carriageway	30	Not at junction or within 20 metres	Data missing or out of range	None within 50 metres	No physical crossing facilities within 50 metres	Raining no high winds	Wet or damp	None	None	504234	433208
16	161418164	2024 - Provisional	07/03/2024	09:30:00	Slight	2	1	Slight	Thursday	B	1233	Daylight	Roundabout	30	Roundabout	Give way or uncontrolled	None within 50 metres	Zebra	Fine no high winds	Wet or damp	None	None	503930	433124
17	161431557	2024 - Provisional	10/04/2024	06:25:00	Slight	2	1	Slight	Wednesday	Unclassified	n/a	Daylight	Single carriageway	30	T or staggered junction	Give way or uncontrolled	None within 50 metres	Zebra	Fine no high winds	Dry	None	None	504284	433211

Vehicles

Peartree Collision Reference	Collision reference	Collision severity	Vehicle reference	Vehicle type	Generic make model	Age of vehicle	Propulsion code	Engine capacity cc	Vehicle left hand drive	Escooter flag	Towing and articulation	Vehicle manoeuvre	First point of impact	Junction location	Skidding and overturning	Vehicle location restricted lane	Hit object in carriageway	Hit object off carriageway	Vehicle leaving carriageway	Vehicle direction from	Vehicle direction to	Journey purpose of driver	Sex of driver	Age of driver	Age band of driver
1	160859626	Slight	1	Car	FORD FOCUS	2	Heavy oil	1499	No	Vehicle was not an e-scooter	No tow/articulation	Turning right	Offside	Entering main road	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North	South	Commuting to/from work	Female	22	21 - 25
1	160859626	Slight	2	Car	SAAB 9-3	13	Petrol	2000	No	Vehicle was not an e-scooter	No tow/articulation	Reversing	Back	Mid Junction - on roundabout or on main road	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	West	North	Journey as part of work	Female	45	36 - 45
2	160886896	Slight	1	Van / Goods 3.5 tonnes mgw or under	RENAULT TRAFIC	13	Heavy oil	1870	No	Vehicle was not an e-scooter	No tow/articulation	U-turn	Back	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	East	Not known	Male	48	46 - 55
2	160886896	Slight	2	Motorcycle 125cc and under	YAMAHA YBR 125	11	Petrol	124	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	Skidded and overturned	On main c'way not in restricted lane	Kerb	None	Did not leave carriageway	West	East	Other	Male	18	16 - 20
3	160978584	Slight	1	Car	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Entering main road	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North	South	Not known	Male	Data missing or out of range	Data missing or out of range
3	160978584	Slight	2	Motorcycle over 500cc	Data missing or out of range	20	Petrol	1130	No	Vehicle was not an e-scooter	No tow/articulation	Waiting to go - held up	Front	Approaching junction or waiting/parked at junction approach	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North West	South East	Not known	Male	55	46 - 55
4	160980849	Slight	1	Pedal cycle	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	South East	North West	Not known	Male	14	Nov-15
4	160980849	Slight	2	Car	HYUNDAI I10	9	Petrol	1248	No	Vehicle was not an e-scooter	No tow/articulation	Parked	Back	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	Parked	Parked	Not known	Not known	Data missing or out of range	Data missing or out of range
5	161008209	Slight	1	Pedal cycle	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Slowing or stopping	Back	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North West	South East	Pupil riding to/from school	Male	Data missing or out of range	Data missing or out of range
5	161008209	Slight	2	Pedal cycle	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	Other object	None	Did not leave carriageway	North West	South East	Pupil riding to/from school	Male	13	Nov-15
6	161044097	Slight	1	Car	CITROEN C3	2	Petrol	1200	No	Vehicle was not an e-scooter	No tow/articulation	Slowing or stopping	Back	Approaching junction or waiting/parked at junction approach	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	West	East	Not known	Male	72	66 - 75
6	161044097	Slight	2	Other vehicle	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Approaching junction or waiting/parked at junction approach	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	West	East	Not known	Male	49	46 - 55
7	161060340	Slight	1	Motorcycle - unknown cc	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	Skidded	On main c'way not in restricted lane	None	None	Did not leave carriageway	South East	North West	Not known	Male	Data missing or out of range	Data missing or out of range
8	161064648	Slight	1	Motorcycle 125cc and under	HONDA NSC	2	Petrol	108	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	Skidded	On main c'way not in restricted lane	None	None	Did not leave carriageway	South East	North West	Not known	Male	59	56 - 65
9	161094546	Slight	1	Car	HONDA JAZZ	13	Petrol	1339	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	West	Commuting to/from work	Female	47	46 - 55
10	161132299	Serious	1	Pedal cycle	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Changing lane to right	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North West	South East	Pupil riding to/from school	Male	12	Nov-15
10	161132299	Serious	2	Car	NISSAN QASHQAI	7	Heavy oil	1461	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	South East	North West	Taking pupil to/from school	Male	53	46 - 55

Vehicles continues overleaf

Vehicles (continued)

Peartree Collision Reference	Collision reference	Collision severity	Vehicle reference	Vehicle type	Generic make model	Age of vehicle	Propulsion code	Engine capacity cc	Vehicle left hand drive	Escooter flag	Towing and articulation	Vehicle manoeuvre	First point of impact	Junction location	Skidding and overturning	Vehicle location resticted lane	Hit object in carriageway	Hit object off carriageway	Vehicle leaving carriageway	Vehicle direction from	Vehicle direction to	Journey purpose of driver	Sex of driver	Age of driver	Age band of driver
11	161218648	Slight	1	Car	VAUXHALL CORSA	4	Petrol	1398	No	Vehicle was not an e-scooter	No tow/articulation	Waiting to turn right	Back	Leaving main road	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	West	Not known	Female	20	16 - 20
11	161218648	Slight	2	Car	TOYOTA HILUX	10	Heavy oil	2982	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Approaching junction or waiting/parked at junction approach	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	West	Not known	Male	37	36 - 45
12	161234641	Slight	1	Van / Goods 3.5 tonnes mgw or under	FORD TRANSIT	15	Heavy oil	2402	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	South East	North West	Not known	Male	47	46 - 55
12	161234641	Slight	2	Car	RENAULT CAPTUR	6	Heavy oil	1461	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North West	South East	Not known	Male	53	46 - 55
13	161291832	Slight	1	Car	MG ZS	5	Petrol	999	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	West	Not known	Female	83	Over 75
13	161291832	Slight	2	Car	KIA SPORTAGE	5	Heavy oil	1995	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Back	Not at or within 20 metres of junction	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	West	Taking pupil to/from school	Female	61	56 - 65
14	161371725	Serious	1	Car	HONDA CR-V	7	Heavy oil	1597	No	Vehicle was not an e-scooter	No tow/articulation	U-turn	Offside	Approaching junction or waiting/parked at junction approach	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	North	South	Other	Female	76	Over 75
14	161371725	Serious	2	Motorcycle 125cc and under	Data missing or out of range	0	Petrol	125	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Cleared junction or waiting/parked at junction exit	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	South	North	Commuting to/from work	Male	18	16 - 20
15	161384111	Slight	1	Motorcycle 125cc and under	HONDA XL125V	18	Petrol	125	No	Vehicle was not an e-scooter	No tow/articulation	Slowing or stopping	Offside	Not at or within 20 metres of junction	Skidded and overturned	On main c'way not in restricted lane	None	None	Did not leave carriageway	West	East	Commuting to/from work	Male	62	56 - 65
16	161418164	Slight	1	Car	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Turning right	Front	Entering roundabout	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	West	South	Not known	Female	40	36 - 45
16	161418164	Slight	2	Car	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Going ahead other	Front	Entering roundabout	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	West	Not known	Female	60	56 - 65
17	161431557	Slight	1	Other vehicle	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was an e-scooter	No tow/articulation	Going ahead other	Offside	Mid Junction - on roundabout or on main road	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	West	East	Other	Male	13	Nov-15
17	161431557	Slight	2	Car	Data missing or out of range	Data missing or out of range	Undefined	Data missing or out of range	No	Vehicle was not an e-scooter	No tow/articulation	Turning right	Front	Mid Junction - on roundabout or on main road	None	On main c'way not in restricted lane	None	None	Did not leave carriageway	East	North	Journey as part of work	Male	47	46 - 55

Casualties

Peartree Collision Reference	Collision reference	Vehicle reference	Casualty reference	Casualty severity	Casualty class	Casualty type	Sex of casualty	Age of casualty	Age band of casualty	Enhanced casualty severity	Car passenger	Bus or coach passenger	Pedestrian location	Pedestrian movement	Pedestrian road maintenance worker
1	160859626	1	1	Slight	Driver or rider	Car occupant	Female	22	21 - 25	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
2	160886896	2	1	Slight	Driver or rider	Motorcycle 125cc and under rider or passenger	Male	18	16 - 20	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
3	160978584	2	1	Slight	Driver or rider	Motorcycle over 500cc rider or passenger	Male	55	46 - 55	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable

Casualties continues overleaf

Casualties (continued)

Peartree Collision Reference	Collision reference	Vehicle reference	Casualty reference	Casualty severity	Casualty class	Casualty type	Sex of casualty	Age of casualty	Age band of casualty	Enhanced casualty severity	Car passenger	Bus or coach passenger	Pedestrian location	Pedestrian movement	Pedestrian road maintenance worker
4	160980849	1	1	Slight	Driver or rider	Cyclist	Male	14	Nov-15	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
5	161008209	2	1	Slight	Driver or rider	Cyclist	Male	13	Nov-15	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
6	161044097	2	1	Slight	Driver or rider	Other vehicle occupant	Male	49	46 - 55	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
7	161060340	1	1	Slight	Pedestrian	Pedestrian	Female	14	Nov-15	Slight	Not car passenger	Not a bus or coach passenger	Crossing on pedestrian crossing facility	Crossing from driver's offside	No / Not applicable
8	161064648	1	1	Slight	Driver or rider	Motorcycle 125cc and under rider or passenger	Male	59	56 - 65	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
9	161094546	1	1	Slight	Pedestrian	Pedestrian	Female	12	Nov-15	Slight	Not car passenger	Not a bus or coach passenger	In carriageway, crossing elsewhere	Unknown or other	No / Not applicable
10	161132299	1	1	Serious	Driver or rider	Cyclist	Male	12	Nov-15	Moderately Serious	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
11	161218648	1	1	Slight	Driver or rider	Car occupant	Female	20	16 - 20	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
12	161234641	1	1	Slight	Driver or rider	Van / Goods vehicle (3.5 tonnes mgw or under) occupant	Male	47	46 - 55	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
12	161234641	2	2	Slight	Driver or rider	Car occupant	Male	53	46 - 55	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
13	161291832	1	1	Slight	Driver or rider	Car occupant	Female	83	Over 75	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
14	161371725	2	1	Serious	Driver or rider	Motorcycle 125cc and under rider or passenger	Male	18	16 - 20	Less Serious	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
15	161384111	1	1	Slight	Driver or rider	Motorcycle 125cc and under rider or passenger	Male	62	56 - 65	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
16	161418164	1	1	Slight	Driver or rider	Car occupant	Female	40	36 - 45	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable
17	161431557	1	1	Slight	Driver or rider	Other vehicle occupant	Male	13	Nov-15	Slight	Not car passenger	Not a bus or coach passenger	Not a Pedestrian	Not a Pedestrian	No / Not applicable

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