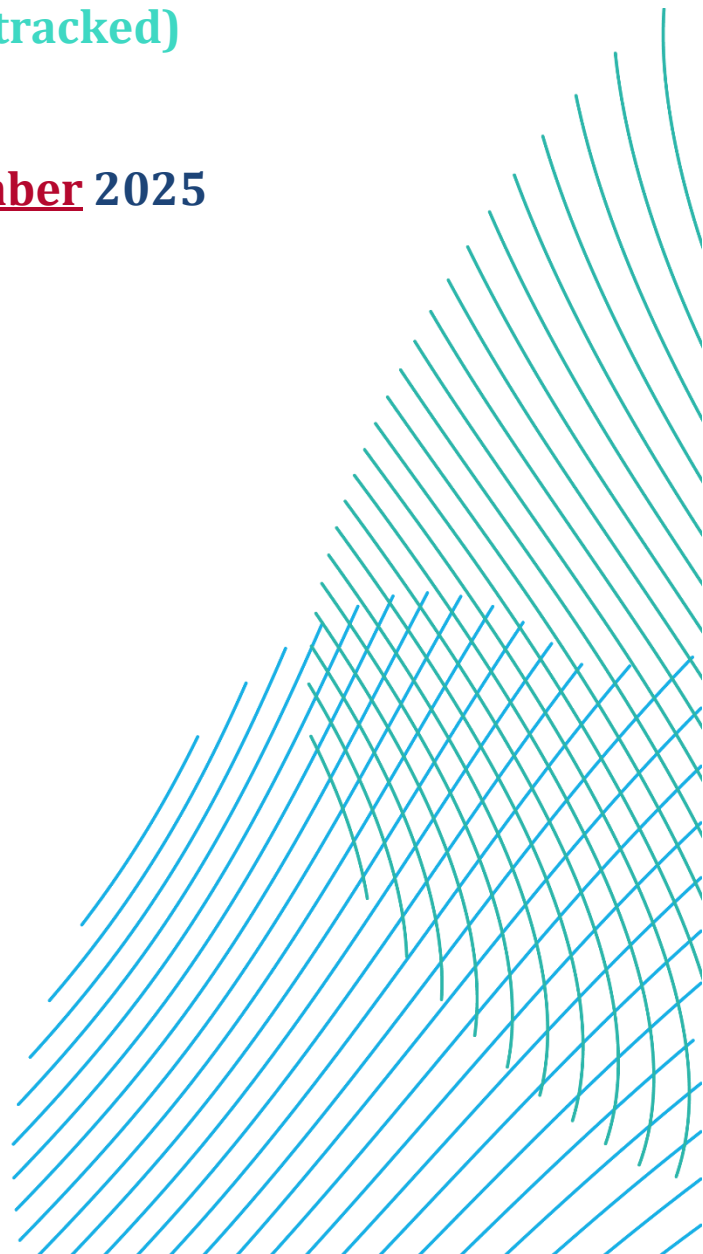




Statement of Common Ground with East Riding of Yorkshire Council (draft)

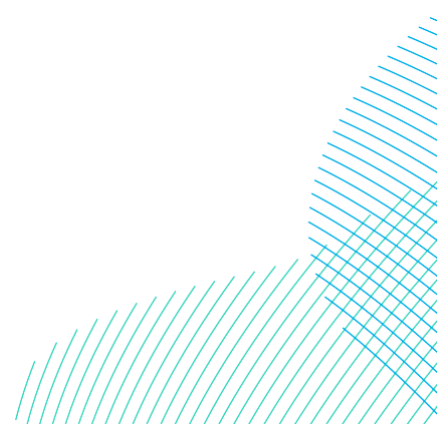
Revision ~~4~~5 (tracked)

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared to support the Examination of the Development Consent Order (DCO) application (the 'DCO Application') for Peartree Hill Solar Farm (the 'Proposed Development').
- 1.1.2 The DCO Application is for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of electricity.
- 1.1.3 The SoCG is a 'live' document that has been prepared collaboratively by the Applicant and the Consultee (East Riding of Yorkshire Council).
- 1.1.4 The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2024 by the Department for Levelling Up, Housing and Communities¹.
- 1.1.5 This Guidance comments that:
"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority".
- 1.1.6 The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between the Applicant and East Riding of Yorkshire Council on matters relating to the Proposed Development. Where matters are yet to be agreed, the parties will continue to proactively work to reach agreement.
- 1.1.7 The SoCG will be updated as more information becomes available and as a result of ongoing discussions between the Applicant and East Riding of Yorkshire Council.

¹ Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (April 2024)

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) the Applicant and (2) East Riding of Yorkshire Council.
- 1.2.2 East Riding of Yorkshire Council is the host local authority for the Proposed Development, with the Order Limits located entirely within its boundary.
- 1.2.3 Collectively, the Applicant and East Riding of Yorkshire Council are referred to as ‘the parties’.

1.3 Terminology

- 1.3.1 Section 3 of this document sets out the relevant matters raised though discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
 - “Agreed” indicates where the issue has been resolved between the parties and is not anticipated to be subject to further discussions;
 - “Under discussion” indicates where a matter remains in active dialogue between the parties and a final position has not yet been reached;
 - “Not Agreed” indicates where the parties have established a final position that they cannot resolve the matter and will remain a point of difference.

2 Record of Engagement

2.1 Summary of consultation and engagement

- 2.1.1 The parties have been engaged in consultation and engagement throughout the development of the Proposed Development. Table 1 shows a summary of the meetings and correspondence that have taken place to date between the Applicant and East Riding of Yorkshire Council in relation to the Proposed Development. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every piece of correspondence between the parties (e.g. that which was primarily administrative).

Table 1: Record of Engagement since August 2023

Date	Purpose of engagement	Description
23 August 2023	To introduce the Proposed Development to East Riding of Yorkshire Council's Principal Planning Officer.	Online meeting in which the Applicant provided an initial briefing on the Proposed Development.
25 January 2024	To consult with East Riding of Yorkshire Council's Trees and Nature Conservation Team Leader.	Online meeting to discuss baseline ecology data and key issues.
6 February 2024	To reach agreement with East Riding of Yorkshire Council's Archaeological Advisor on appropriate archaeological mitigation measures and the trial trenching strategy.	Online meeting to discuss archaeological constraints, trial trenching approach, and potential mitigation.
May – August 2024		Email correspondence to determine details of trial trenching and archaeological monitoring in Land Area F.
16 February 2024	To reach agreement with East Riding of Yorkshire Council's appointed landscape consultants (2B Consultants) on a number of matters relating to Landscape and Visual Impact Assessment (LVIA).	Email from the Applicant to confirm viewpoint locations and visualisation types. At this stage East Riding of Yorkshire Council had no available landscape officer.
23 July 2024		Online meeting with East Riding of Yorkshire Council's appointed landscape consultants to discuss the above matters.
28 August 2024		Site walkover to discuss design proposals.

Date	Purpose of engagement	Description
September – October 2024		Email correspondence in relation to viewpoints and photomontages.
19 February 2024	To reach agreement with East Riding of Yorkshire Council's Highways Officers on proposed construction access and highways works.	Online meeting to discuss construction vehicle access locations, routes and indicative highways mitigation.
6 June 2024		Online meeting to discuss mitigation, e.g. speed reductions and passing places.
August – October 2024		Email correspondence to discuss details of highways works and traffic measures.
23 February 2024	To reach agreement with East Riding of Yorkshire Council's Conservation Officer on the initial heritage settings assessment.	Online meeting to discuss the draft Stage 1 Settings Assessment and to confirm scoped-in assets.
May 2024	To reach agreement with East Riding of Yorkshire Council's Archaeological Advisor on the archaeological geophysical survey approach	Email correspondence to discuss undertaking geophysical survey and trial trenching of the cable route post-determination.
21 May 2024 (and recurring monthly)	First in a series of monthly meetings with East Riding of Yorkshire Council as part of the Planning Performance Agreement.	Monthly online meetings to provide East Riding of Yorkshire Council's Principal Planning Officer with regular updates.
6 June 2024	To reach agreement with East Riding of Yorkshire Council (Lead Local Flood Authority) on the drainage strategy.	Online meeting to discuss the approach to drainage and mitigation of possible prolonged periods of flooding.
August 2025		Email correspondence to provide an update in relation to the surface water drainage strategy
July – November 2024	To reach agreement with East Riding of Yorkshire Council's Principal Planning Officer on the cumulative effects assessment approach.	Email correspondence to discuss the shortlist of other developments to be included in the cumulative effects assessment and the methodology.
17 July 2024	To discuss East Riding of Yorkshire Council's response to the PEIR in relation to ecology/biodiversity with East Riding of Yorkshire Council's Trees and Nature Conservation Team Leader.	Online meeting to discuss East Riding of Yorkshire Council's comments on the PEIR and to outline the next steps in the design of the Proposed Development.

Date	Purpose of engagement	Description
28 August 2024	To reach agreement with East Riding of Yorkshire Council's Highways Officers on the proposed scope for the Transport Assessment (TA).	Email from the Applicant sharing the Transport Assessment Scoping Report.
16 September 2024		Email from East Riding of Yorkshire Council confirming the TA scope was acceptable.
September 2024	To reach agreement on the proposed approach in relation to material assets and waste.	Email correspondence to discuss the scoping out of material assets and waste as a separate ES chapter.
October 2024	To reach agreement on the proposed approach in relation to mineral safeguarding.	Email correspondence to discuss the inclusion of minerals safeguarding in the Planning Statement rather than the ES.
October 2024	To reach agreement with East Riding of Yorkshire Council's Archaeological Advisor on the approach to the Archaeological Management Strategy	Email correspondence to discuss the proposed approach to the Archaeological Management Strategy.
November 2024 – January 2025	To reach agreement with East Riding of Yorkshire Council's advisors on soils and minerals matters (Landscape) on the proposed approach in relation to geological hazards.	Email from the Applicant proposing to scope geological hazards out of assessment in the ES. Follow up emails requesting a response. No response received from Landscape to date.
December 2024	To consult East Riding of Yorkshire Council's Highways Officers on Abnormal Indivisible Loads (AILs)	Email correspondence to discuss the proposed AIL routes and potential day/nighttime road closure of Meaux Lane.
3 December 2024	To provide an update on the project and reach agreement on any outstanding issues.	Email from the Applicant sharing the Biodiversity Mitigation Strategy (later developed/ incorporated into the submitted Outline Landscape and Ecological Management Plan (Outline LEMP) [APP-156]) and setting out the proposed outstanding issues to be included in the Potential Main Issues for Examination [APP-148] .
23 January 2025	To confirm that Water would be scoped out as an ES chapter.	Email from the Applicant stating that, in agreement with the Environment Agency, surface water and flood risk would be scoped out of the ES.
21 May 2025	To discuss outstanding Public Rights of Way (PRoW) claims	Online meeting to discuss the nature of any outstanding PRoW claims and

Date	Purpose of engagement	Description
	with East Riding of Yorkshire Council's Definitive Map team.	the process for adding them to the definitive map.
28 May 2025	To discuss proposed PRow management with East Riding of Yorkshire Council's Countryside Access Officer.	Online meeting to discuss points raised by East Riding of Yorkshire Council on the submitted Outline Rights of Way and Access Management Plan [APP-160] .
July 2025	To discuss outstanding biodiversity issues with East Riding of Yorkshire Council's Trees and Nature Conservation Team Leader.	Online meeting and follow-up email correspondence to provide an update on the Proposed Development and to discuss outstanding matters relating to biodiversity.
August – October 2025	To discuss implications of Changes 3 and 9 (set out in the Second Notification of Proposed Changes to the DCO Application [AS-015]) for transport and access.	Online meeting and follow-up email correspondence to discuss the proposed changes to the DCO Application and agree on suitable measures to mitigate impacts on the existing road network and manage traffic as a result of the changes.
October – November 2025	To discuss outstanding issues within this Statement of Common Ground.	Email correspondence with East Riding of Yorkshire Council's Conservation Team Leader, Trees and Nature Conservation Team Leader, and Countryside Access Officer to try and reach agreement on remaining 'under discussion' matters where possible.
28 October 2025	To discuss matters raised at Issue Specific Hearing 2 on 23 October 2025 with East Riding of Yorkshire Council's landscape consultants.	Online meeting to discuss matters such as mitigation planting in relation and the proposed permissive path changes, construction lighting, and planting sequencing.

3 Current Position

- 3.1.1 The table below provides a summary of the current position of the Applicant and East Riding of Yorkshire Council in relation to specific matters that have been under discussion to date.
- 3.1.2 Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has not been the subject of detailed discussion; or (ii) not relevant to the discussion between the parties.
- 3.1.3 As noted above, this is a 'live' document and there are some aspects that are still under discussion between the parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and where agreement has been reached between the parties.

Table 2: Current position of the Applicant and East Riding of Yorkshire Council in relation to specific matters that have been under discussion to date

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
Cultural Heritage – Archaeology (Development Management Archaeologist for East Riding of Yorkshire Council & Hull City Council)				
ERYC01	Buffer zone around below-ground heritage assets <i>Cultural Heritage</i>	The Development Management Archaeologist for East Riding of Yorkshire Council & Hull City Council agreed with a proposed 20m buffer around heritage assets HA1, HA2 and HA3. They confirmed that archaeologically 'blank' areas recorded by the geophysical survey of the Site require archaeological testing.	The Applicant welcomes this response. See ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] for details.	Agreed
ERYC02	Pre-determination trial trenching <i>Cultural Heritage</i>	The Development Management Archaeologist for East Riding of Yorkshire Council & Hull City Council agreed with the proposed approach to pre-determination trial trenching, including trenching sample size, depth of trenches, and approach to avoiding land drains.	The Applicant welcomes this response. See ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] and ES Volume 4, Appendix 9.3: Archaeological Trial Trenching Report [APP-069] for details.	Agreed
ERYC03	Post-determination works <i>Cultural Heritage</i>	The Development Management Archaeologist for East Riding of Yorkshire Council & Hull City Council agreed with the activities to be undertaken post-determination, including geophysical survey and archaeological trial trenching of the cable routes; archaeological trial trenching of the solar PV module areas; and archaeological monitoring of the installation of an access road and temporary compound in Land Area F, which encroach into the footprint of heritage asset HA3.	The Applicant welcomes this response. See ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] and the Archaeological Management Strategy [EN010157/APP/7.11 Revision 2] for details.	Agreed
Cultural Heritage – Building Conservation/Setting				
ERYC04	Settings assessment <i>Cultural Heritage</i>	East Riding of Yorkshire Council's Conservation Team Leader confirmed that the methodology and scope for the setting assessment were acceptable, as were the proposed mitigation measures to reduce/ minimise impacts.	The Applicant welcomes this response. See ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] and ES Volume 4, Appendix 9.4: Detailed Settings Impact Assessment [EN010157/APP/6.4 Revision 2] for more details.	Agreed
ERYC05	Level of harm to Meaux Abbey Farm and Wawne Grange <i>Cultural Heritage</i>	East Riding of Yorkshire Council's Conservation Team Leader commented that, while they would place the level of harm to significance (with regard to paragraph 215 of the National Planning Policy Framework ²) as being marginally higher in relation to Meaux Abbey Farm and Wawne Grange, they do not fundamentally disagree with the conclusion of no significant residual effects to these assets.	The Applicant welcomes this response. The Applicant has concluded in Table 9-8 'Assessment summary' of ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] that the potential magnitude of impact on the setting of Meaux Abbey Farm and Wawne Grange, following the implementation of mitigation measures, would be Minor and therefore the residual effect would be not significant.	Agreed
ERYC06	Passing place opposite Meaux Abbey Farm <i>Cultural Heritage</i>	East Riding of Yorkshire Council's Conservation Team Leader commented via email on 20 October 2025 that they would place the level of harm to significance of Meaux Abbey (with regard to paragraph 215 of the National Planning Policy Framework) caused by the creation of the passing place as being marginally higher than the Applicant. However, they do not fundamentally disagree with the Applicant's overall conclusion of no	The Applicant welcomes this response. Whilst the Applicant has considered alternative locations for passing places, it is considered necessary to create one at this location due to its position in relation to bends in the road. In addition, at this location, there is a wide area of highway verge meaning the passing place could be constructed with no impact on hedgerows, which will minimise any potential ecological impacts. The potential impact on the setting of Meaux Abbey Farm has been assessed in ES Volume 4, Appendix 9.4: Detailed Settings Impact Assessment [EN010157/APP/6.4 Revision 2] and ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] , which	Agreed

² https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
		significant residual effects to this asset. They also noted that justification has been provided for the siting of a passing place in this location, relating to the need for access from this road to service the development, the need to ensure traffic safety and the ability it provides to retain hedgerows. This justification would need to be considered against paragraph 213 of the NPPF.	conclude that the residual effect would be Minor, and therefore not significant, following the implementation of protective measures in the Outline Construction Environmental Management Plan (Outline CEMP) [EN010157/APP/7.2 Revision 2] and Outline Operational Environmental Management Plan (Outline OEMP) [EN010157/APP/7.3 Revision 2] (and Outline Decommissioning Environmental Management Plan (Outline DEMP) [EN010157/APP/7.4 Revision 2] if necessary).	
ERYC06a	Church of St. Margaret <i>Cultural Heritage</i>	East Riding of Yorkshire Council's Conservation Team Leader commented via email on 21 October 2025 that while they believe that there will be an impact on the significance of the Church of St. Margaret caused by the Proposed Development (albeit to a low level – in line with the comments in item 2.8.1 in their Response to the Examining Authority's Second Written Questions (ExQ2) [REP3-055]), they agree with the overall conclusion that the Proposed Development will have no significant effects on the significance of the Church of St. Margaret.	The Applicant welcomes this response. The Applicant has assessed the impact of the Proposed Development on the contribution made to the significance of the Church of St. Margaret by its wider setting in Appendix 3: Settings Impacts Screening Exercise of ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment [APP-118 and APP-119] , page 458. The assessment concludes that there would be no significant residual effects to the asset.	Agreed
ERYC06b	Abbey Cottage <i>Cultural Heritage</i>	East Riding of Yorkshire Council's Conservation Team Leader commented in item 2.8.2 of their Response to the Examining Authority's Second Written Questions (ExQ2) [REV3-055], that they are satisfied for Abbey Cottage to be scoped out of further assessment based on the additional information provided by the Applicant in the Applicant's Response to Local Impact Report [REP2-037]. East Riding of Yorkshire Council's Conservation Team Leader notes that the asset is outside the Order Limits and that the likely quantum of effect will be none or negligible, particularly if the existing landscaping around the listed building remains. They also accept that any potential heritage benefits that could be achieved through removal of curtailment vegetation around the asset goes beyond what can be controlled under the Development Consent Order.	The Applicant welcomes this response. As set out in Table 9-3 of in ES Volume 2, Chapter 9: Cultural Heritage [REP1-021] , Abbey Cottage was scoped out of further assessment due to the findings of the ES Volume 4, Appendix 9.4: Detailed Settings Impact Assessment [REP1-026] , which concludes no changes to its setting would occur and therefore no harm to the significance of the asset during any phase of the Proposed Development. On the basis of East Riding of Yorkshire Council's Response to the Examining Authority's Second Written Questions (ExQ2) [REV3-055] , Abbey Cottage remains scoped out of the assessment presented in ES Volume 2, Chapter 9: Cultural Heritage [REP1-021] . Abbey Cottage and its associated screening vegetation lie outside of the Order Limits. As such, it would not be within the Applicant's gift to reduce the curtailment vegetation.	Agreed
ERYC06c	Site of Meaux Cistercian Abbey <i>Cultural Heritage</i>	<u>In their Written summary of oral submission made at Issue Specific Hearing 2 [REP4-082], East Riding of Yorkshire Council's Conservation Team Leader notes that the increased landscape buffer at the northern edge of Land Area F and the existing hedgerows will considerably minimise the impact of the Proposed Development on the asset. Whilst East Riding of Yorkshire Council's Conservation Team Leader does not fully agree with the Applicant's conclusion that there would be no change, no effect, and no impact on the significance, they 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. They therefore agree with the overall conclusion that the</u>	<u>The Applicant welcomes this response. The Applicant has concluded in Table 9-8 of ES Volume 2, Chapter 9: Cultural Heritage [REP1-021] that the potential magnitude of impact on the setting of Site of Meaux Cistercian Abbey, following the implementation of mitigation measures, would be no change and therefore the residual effect would be not significant.</u>	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
		<u>Proposed Development will have no significant effects on the significance of the Site of Meaux Cistercian Abbey.</u>		
Biodiversity				
ERYC07	Protected sites – bird surveys <i>Biodiversity</i>	East Riding of Yorkshire Council agreed that the bird surveys carried out for the Land Areas were sufficient to inform the Habitats Regulations Assessment – Information to Inform Appropriate Assessment [APP-145]. East Riding of Yorkshire Council noted via email on 2 October 2025 that the Grid Connection Bird Survey Report [REP1-072] confirms the extent of use of the cable route by SPA birds confirming that the previously provided precautionary approach outlined within the HRA [REP2-071] is acceptable, and that impacts are considered temporary and reversible.	The Applicant welcomes this response. Please see ES Volume 2, Chapter 7: Biodiversity [REP1-019] , ES Volume 4, Appendix 7.4: Wintering Bird Survey Report [APP-108] , ES Volume 4, Appendix 7.5: Ornithological Survey Report [APP-109] , ES Volume 4, Appendix 7.9: Passage Bird Survey Report [APP-113] , the Grid Connection Cable Route Bird Survey Report [EN010157/APP/8.3] , and the Habitats Regulations Assessment – Information to Inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] for details.	Agreed
ERYC08	Protected sites – suitability of mitigation areas (wet grassland) <i>Biodiversity</i>	East Riding of Yorkshire Council advises that wet grassland is difficult to create unless there are suitable hydrological ground conditions and has concerns as to the delivery of this habitat, particularly in proposed mitigation area 11 (Field E6). It advises that it may be better to create permanent grassland instead.	The Applicant agrees to this request. Proposals for 'wet grassland' with scrapes have been replaced with flower-rich 'neutral grassland' with scrapes in the updated Outline LEMP [EN010157/APP/7.2 Revision 3] , which is submitted at Deadline 1. The updated Outline LEMP [EN010157/APP/7.5 Revision 3] that is submitted at Deadline 1 has also been updated with further information regarding the viability of the proposed scrapes within the mitigation areas, including additional hydrological information regarding the current hydrological statuses of the fields available at this stage of the Proposed Development. An initial review of hydrological and soil information indicates that mitigation areas 11 and 13 are suitable locations to create scrapes successfully, with the exact locations of the scrapes to be determined by pre-construction hydrological studies.	Agreed
ERYC09	Protected sites – suitability of mitigation areas (enclosure and disturbance from recreational activities) <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 14 October 2025 that the Applicant has suitably addressed its concerns in relation to the extent of enclosure of mitigation area 11 (Field E6) and the introduction of permissive paths around mitigation areas 11 (Field E6) and 9 (Field D18), and its comment that the land needs to be reasonably open and human activity minimised. East Riding of Yorkshire Council commented that any proposed fencing between paths and mitigation areas should be of a form that does not allow the free passage of dogs off leads into the mitigation areas. East Riding of Yorkshire Council notes that mitigation area 13 (Fields E13 and E14) is well-placed, has good likelihood for proposed scrapes to hold water, and that existing hedgerows do not pose a constraint to use.	The Applicant welcomes this response. As set out in the Third notification of proposed changes to the DCO Application [AS-017] , the Applicant is proposing amendments to permissive path routes around mitigation areas, including mitigation areas 9 (Field E6) and 11 (Field D18), to address the matter of potential disturbance from path users (including dogs) on mitigation areas. The changes have been proposed following consultation with Natural England. The Applicant is also proposing to install 1m-high post and rail fencing with wire mesh between relevant sections of permissive path and mitigation areas to prevent path users and dogs straying into the mitigation areas, along with appropriate signage (to provide footpath users with information on the ecological importance of the mitigation areas and the countryside code which includes ensuring all dogs are kept on a lead). Should the proposed changes to permissive paths be accepted by the Examining Authority, relevant documents would be updated as necessary and submitted at subsequent deadlines. Section 3.2 of the Outline LEMP [EN010157/APP/7.5 Revision 6] provides further information regarding the viability of the proposed SPA/Ramsar site mitigation areas.	Agreed
ERYC10	Protected sites – mitigation areas	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied that the updated CEMP [REP2-138] secures the mitigation measures for avoiding	To minimise the potential for disturbance of wintering birds within mitigation areas 9 (Field D18), 11 (Field E6) and 13 (Fields E13/14), the Applicant will avoid completing the activities most likely to disturb birds (e.g. loud activities such as piling, installing access	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
	(noise and visual disturbance) <i>Biodiversity</i>	noise impacts over the wintering bird period in relation to the bird mitigation areas and Figham Pastures LWS, having previously expressed concerns about potential noise impacts during construction.	tracks, laying cables, etc.) during winter (October to March) within Fields E4, E5 and E15, E17 and D17 (i.e. the fields adjacent to the mitigation areas associated with the Humber Estuary SPA/Ramsar site species). Only activities less likely to disturb birds (e.g. commissioning works including panel installation) would take place in these fields during winter, if necessary. Should this not be possible, acoustic fencing would be installed for the construction period to provide a noise and visual barrier, in addition to any hedgerow screening already in place. The Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] includes the above information and the mitigation measures are secured in the Outline CEMP [EN010157/APP/7.2 Revision 5] . Natural England confirmed in its Written Representation [REP2-154] submitted at Deadline 2 that, based on the above, its concerns regarding consideration of noise and visual disturbance to the mitigation areas are now resolved. Section 3.2 of the Outline LEMP [EN010157/APP/7.5 Revision 6] includes a justification for the suitability of each of the SPA/Ramsar site mitigation areas. Appendix E of the Outline LEMP [EN010157/APP/7.5 Revision 6] provides further clarify in regard to the bird days calculation and mitigation areas carrying capacities, which considered sight lines.	
ERYC11	Protected sites – water quality impacts (cleaning of solar PV modules) <i>Biodiversity</i>	East Riding of Yorkshire Council acknowledges that water quality improvements during operation would be significant due to changes in land management but requests confirmation that only water would be used for cleaning of solar PV modules.	The Applicant agrees to this request. The Outline Operational Environmental Management Plan [EN010157/APP/7.3 Revision 2] has been updated to clarify that the solar PV modules will be cleaned using deionised water only and therefore there would be no impacts on water quality as a result of this activity. The updated document is submitted at Deadline 1.	Agreed
ERYC12	Protected sites – water supply impacts <i>Water Resources</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it welcomed the updated information provided in relation to water supply impacts and that water supply impacts which may arise due to abstraction are now not of concern.	The Applicant welcomes this response. Appendix 1 - Water Resources Technical Note to the Response to Relevant Representations [REP1-071] , which was submitted at Deadline 1, clarifies that water used during construction would be tankered in from mains and therefore no abstractions would be required. There will be a betterment in terms of water use during operation, compared to the existing water use within the Order Limits, given the negligible use when the Proposed Development is operational. The Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] clarifies that no water is to be abstracted for HDD works. HDD wastewater (including bentonite) will be removed from site in bowser trucks and, where necessary, remaining wastewater will be incarcerated within the launch pit and transported to a specialised local facility for disposal.	Agreed
ERYC13	Protected sites – lamprey <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that given the measures secured in the Design Parameters Document [APP-150] and the Outline CEMP (i.e. that HDD launch and receptor pits would be located approximately 50m either side of the River Hull, HDD will take place at a minimum depth of 7m below the river bed, and cabling will have an insulating layer), as well	The Applicant welcomes this response. The Outline CEMP [EN010157/APP/7.2 Revision 5] secures the measures relating to distance of HDD pits from Main Rivers (50m), depth of HDD under the River Hull (7m) and that cabling under the River Hull would include an insulating layer. The preferred timings to undertake the HDD would be during spring/ summer (April to September), when the ground conditions would be drier, which would avoid the peak river	Agreed.

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
		as details on the likely duration and preferred timings of the HDD work that are set out in the HRA, any barrier effects will be temporary and it is agreed that no adverse effects in relation to migrating river lamprey will occur even outside of the indicative time periods.	lamprey migration period. While the Applicant cannot commit to this restriction at this stage, it will adhere to these timings where possible. As detailed in Section 7.5 of the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] , in the unlikely event that it is not possible to avoid the river lamprey migration period, no adverse effects on the integrity of the SAC/Ramsar site populations are anticipated given that the HDD under the River Hull would be at a minimum depth of 7m, very short-term (estimated to take a maximum of 24 hours), and that fish without a swim bladder (which includes lamprey) have the lowest sensitivity to noise/ vibration.	
ERYC14	Figiam Pastures Local Wildlife Site (LWS) – trenching <i>Biodiversity</i>	East Riding of Yorkshire Council agrees that the proposed 1.5m maximum trench width and reinstatement of turfs within 48 hours in relation to works in Figiam Pastures LWS would be acceptable.	The Applicant welcomes this response.	Agreed
ERYC15	Figiam Pastures Local Wildlife Site (LWS) – vehicle movements and site cabins <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 14 October 2025 that it is satisfied with the Applicant's clarification regarding the use of 'where reasonably practicable' in relation to works not being undertaken between October and March in Figiam pastures LWS, as set out in the Outline CEMP [APP-153], particularly for vehicle movements. East Riding of Yorkshire Council confirmed via email on 2 October 2025 that the Applicant's response in relation to the potential locating of site cabins on Figiam Pastures LWS is justified and acceptable. East Riding of Yorkshire Council requested that the size of the welfare facilities should be minimised insofar as possible and confirmed via email on 16 October 2025 that it was satisfied with the Applicant's response to this point.	The Applicant welcomes East Riding of Yorkshire Council's response regarding the timing of works in Figiam Pastures LWS. It is the Applicant's intention to complete all works in Figiam Pastures LWS within six weeks between April and September. However, the inclusion of 'where reasonably practical' provides an element of flexibility should unforeseen circumstances require works to slightly extend into the shoulder of that time period. It should also be noted that, as set out in the Outline CEMP [EN010157/APP/7.2 Revision 6] , no night-time working (19:00 to 07:00) would be undertaken unless otherwise agreed with East Riding of Yorkshire Council, and the impacted area and vehicle movements within Figiam Pastures LWS would be kept to one 30m working width to reduce potential impacts on biodiversity. The Applicant welcomes East Riding of Yorkshire Council's response regarding the location of site cabins. Welfare facilities are required to be located in proximity to the working area by CDM Regulations and guidance, specifically Construction Welfare Standards (see BS 6465- 1:2006 + A1; 2009). The Applicant would in the first instance seek to locate any such facilities outside of the LWS, however, flexibility is required to ensure that there is capacity to locate cabins on the LWS to demonstrate that the distance and time to reach from the furthest point of the site to the welfare facilities is as short as possible. The Outline CEMP [EN010157/APP/7.2 Revision 6] has been updated to state that, should welfare facilities need to be located within Figiam Pastures LWS to comply with construction welfare standards, the design of the welfare facilities would be sympathetic to the surroundings of the LWS in terms of location and size as far as reasonably practicable.	Agreed
ERYC16	Figiam Pastures LWS – injurious weeds <i>Biodiversity</i>	East Riding of Yorkshire Council requests that the monitoring regime for reinstated habitats should be extended should injurious weeds dominate within Table 20-1 of the oLEMP (PDA-018).	The Applicant agrees to this request. Table 20-1 within the Outline LEMP [EN010157/APP/7.5 Revision 3] has been updated to reflect this is submitted at Deadline 2.	Agreed
ERYC17	Protected species (general) –	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied with the Applicant's approach in relation to embedded best practice avoidance	The Construction Environmental Management Plan (which is secured by Requirement 4 in Schedule 2, Part 1 of the Draft Development Consent Order [EN010157/APP/3.1 Revision 7]) will contain embedded best practice avoidance and measures for legally	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
	mitigation measures <i>Biodiversity</i>	and mitigation measures for protected species, having previously requested for them to be outlined within Table 5-1 of the Outline CEMP.	protected species once pre-construction ecology surveys are undertaken. The Applicant feels the level of information provided within the Table 5-1 of Outline CEMP [EN010157/APP/7.2 Revision 5] regarding protected species is appropriate at this stage of the Proposed Development.	
ERYC18	Bats <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied with the Applicant's response to its advice that where the "temporary installation of structures" is proposed in order to maintain bat foraging routes where breaks in hedgerow are required, it should be either fencing with camouflage type netting on top or filled with brash and netting should be of a type not to cause wildlife entrapment. Use of brash should be prioritised.	Detailed measures to mitigate the effect on bats during construction will be included within the Construction Environmental Management Plan. This will include ensuring that, where reasonably practicable, the fencing options recommended by Natural England and East Riding of Yorkshire Council will be used.	Agreed
ERYC19	Water vole and otter <i>Biodiversity</i>	East Riding of Yorkshire Council recommend that pre-construction surveys for water vole and otter should be undertaken for impacted watercourses found to be 'suitable' and above for both otters and water vole. Surveys for otter should extend up to 200m up and downstream of each crossing point (where open cut techniques required) and up to 5-10m from each bank as appropriate. Water vole surveys should be extended in accordance with the guidance in Box 1 of the Water Vole Mitigation Handbook.	The Applicant agrees to this request. ES Volume 2, Chapter 7: Biodiversity [EN010157/APP/6.2 Revision 2] and the Outline CEMP [EN010157/APP/7.2 Revision 2] have been updated to ensure pre-construction water vole and otter surveys use appropriate guidance. This includes, where land access permits, undertaking water vole surveys 100m downstream and upstream from proposed culverts and watercourse crossing points which affect watercourses assessed as 'suitable but poor to optimal suitability' within ES Volume 4, Appendix 7.7: Water Vole and Otter Habitat Suitability Report [APP-111] . Where land access permits, pre-construction otter surveys will be undertaken of suitable habitat within 200m of the proposed works. The updated documents are submitted at Deadline 1.	Agreed
ERYC20	Fish <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied with the Applicant's response to its request for clarification on whether open cut crossings or installation of box culverts would impact movement of fish during construction and for any necessary associated mitigation measures to be secured.	The Applicant welcomes this response. The method of open cut crossings will only be used during cable installation works. Cables will only be installed using the open cut method within dry minor watercourses where fish would not be affected. Cables will be installed underneath other watercourses using horizontal directional drilling or will be incorporated into a crossing above the watercourse, therefore no significant effects on fish are anticipated, including lamprey as explained within the Habitats Regulations Assessment – Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] . Other discrete sections of watercourses could be affected by box culverting works for access, which will likely require isolated dewatering and in these cases, licencing will be obtained from the Environment Agency and standard fish rescue techniques employed to minimise harm to fish. As works would be short term and temporary, no significant effects on fish movement are envisaged. Such construction works would be overseen by an Ecological Clerk of Works. The Outline CEMP [EN010157/APP/7.2 Revision 5] secures measures to reduce impacts on fish during the construction phase. In addition, standard pollution control measures are detailed in and secured by the Outline CEMP [EN010157/APP/7.2 Revision 5] and the Outline DEMP [EN010157/APP/7.4 Revision 4] .	Agreed
ERYC21	Breeding birds	East Riding of Yorkshire Council notes that monitoring measures are included in the Outline LEMP [PDA-018] but	The Applicant agrees to this request. Section 19.3 of the Outline LEMP [EN010157/APP/7.5 Revision 3] has been updated to include indicative roles and	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
	<i>Biodiversity</i>	suggests that triggers should be included to indicate when remedial action should be implemented. It recommends that monitoring should include breeding bird activity as well as habitat condition, and that further details should be provided on target sward height for breeding birds, for example nesting skylarks avoid vegetation over 60cm and lapwings prefer more open swards.	responsibilities, an indicative management and monitoring programme, and targets for success criteria and potential remedial actions. Section 14.2.5 of the Outline LEMP [EN010157/APP/7.5 Revision 3] has been added to provide detail regarding grassland sward height within the breeding bird mitigation areas and remedial action if required. The updated documents are submitted at Deadline 1.	
ERYC22	Lighting <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied that the Applicant's approach to lighting would limit impacts on sensitive ecological receptors.	As detailed within Outline CEMP [EN010157/APP/7.2 Revision 5] core construction working hours will be between 07:00 and 19:00, therefore reducing potential lighting effects on bats. The Applicant is required to comply with certain health and safety regulations but, as detailed within Outline CEMP [EN010157/APP/7.2 Revision 5] , construction lighting will be kept to a minimum and not directed towards hedgerows, tree lines, watercourses, badger setts, ecological mitigation and enhancement areas. Table 4-1 of the Outline DEMP [EN010157/APP/7.4 Revision 4] also provides detail regarding measures to reduce effects on sensitive ecological receptor from lighting during decommissioning. As detailed within Outline OEMP [EN010157/APP/7.3 Revision 3] no areas of the Site during the operational stage will be continuously lit. However, motion sensor infrared security lighting will be used for security and operational purposes within the two substations. The two substations are positioned away from sensitive ecological receptors, or appropriate buffers will be in place to minimise any potential disturbance.	Agreed
ERYC23	Trees (veteran trees) <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it welcomes the Applicant's response to its request that access tracks be located outside of veteran tree RPAs.	The Applicant welcomes this response. As a result of Change 9 (see the Second notification of proposed changes to the DCO Application [AS-015]), the access track off Meaux Lane to Field D5 has been removed from the Proposed Development. Therefore, veteran tree T381 is no longer be within or adjacent to the Order Limits and will not be impacted by the Proposed Development. Further details are provided in ES Volume 4, Appendix 7.11: Arboricultural Impact Assessment [REP2-127] .	Agreed
ERYC24	Trees (Category A and B) <i>Biodiversity</i>	<u>In its Local Impact Report [REP1-084], East Riding of Yorkshire Council notes^{sd} that there would be no impacts to trees covered by a Tree Preservation Order but had^s concerns about the potential extent of loss of category B trees and potential impacts to T076, a category A oak.</u> <u>In an email dated 15 October, East Riding of Yorkshire Council requested the Applicant commit to reducing impacts on the root protection area (RPA) of T076 to "below 20%" but later confirmed via email on 27 October 2025 it is satisfied with the Applicant's response regarding incursion on the RPA of T076 based on the further information provided by the Applicant and assuming works would be above ground.</u> <u>In the email dated 27 October 2025, East Riding of Yorkshire Council requested further justification for removals, including further details on the removal of category A groups and why losses of category A and B elements are considered unavoidable. In an email dated</u>	Even though a high proportion of the proposed tree losses are Category B features, this is a very low number (35) of the total Category B features recorded (540). As set out in paragraph 4.3.2 of ES Volume 4, Appendix 7.11: Arboricultural Impact Assessment [EN010157/APP/6.4 Revision 3REP4-023] , a number of the Category B tree groups and Category B trees are likely to not require removal along the grid connection cable route once the final cable alignment has been determined. Overall, 8 Category B trees and 1 Category B group within the grid connection cable route may not be needed for removal but have been assumed as needing removal as a worst-case scenario for the purposes of assessment. The Applicant would avoid the root protection area (RPA) of T076 where possible or, at the minimum, reduce the 22% incursion. The detailed design stage of the Proposed Development should provide an opportunity to explore improving on this position. Should it not be possible to reduce the 22% incursion, the Applicant deems it unlikely that this incursion would compromise the long-term physiological or structural condition of T076. ES Volume 4, Appendix 7.11: Arboricultural Impact Assessment [REP4-023EN010157/APP/6.4 Revision 3] sets out that due to the proportion of anticipated RPA impact on T076, arboricultural supervision and no dig construction will be required. The Outline LEMP [EN010157/APP/7.5 Revision 97] also contains a commitment that: "Existing trees and hedgerows (including root protection zones / areas) either within, or	AgreedUnder discussion

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
		<u>11 November 2025, East Riding of Yorkshire Council confirmed that based on the updates to the Arboricultural Impact Assessment provided at Deadline 4 it is 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.</u>	<p>along the boundary of, the Site will be protected during construction in accordance with 'BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations'.</p> <p>Section 4.1-4 of ES Volume 4, Appendix 7.11: Arboricultural Impact Assessment [REP4-023EN010157/APP/6.4 Revision 3] has been updated and is that was submitted at Deadline 4 <u>was updated</u> to provide further information on the removal of Category A and B features and further justification for this.</p> <p>The Applicant will continue to liaise with East Riding of Yorkshire Council on this matter.</p>	
ERYC25	Woodland <i>Biodiversity</i>	East Riding of Yorkshire Council recommends that an increase in longer lived species is included in the tree mix to provide resilience in the stock. Species such as walnut, small-leaved lime and sweet chestnut are present within order limits and the wider area.	The Applicant agrees to this request. The Outline LEMP [EN010157/APP/7.5 Revision 3] has been updated to include these species in the indicative planting mix. The updated document is submitted at Deadline 2.	Agreed
ERYC26	Hedgerows <i>Design of Development</i>	<p>East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied with the Applicant's response to its request that losses of hedgerow should be minimised. East Riding of Yorkshire Council noted that an 8m indicative width for the cable route corridor is included but requests that, where important hedgerows are impacted, a commitment should be made to minimising the extent of removal further, and that where removal is required for visibility splays for construction only, that complete removal is avoided.</p> <p>East Riding of Yorkshire Council confirmed that the justification provided is acceptable and is satisfied that a worst-case scenario has been assessed in relation to hedgerow removals. It welcomes the commitment to minimising impacts where safe to do so at the detailed design stage.</p>	The Applicant welcomes this response. The Outline LEMP [EN010157/APP/7.5 Revision 6] states that where vegetation removal/pruning is required for access and/or visibility splays, the works should be limited to that amount required to achieve the appropriate access / visibility required. Pruning of vegetation will be preferred over removal wherever possible.	Agreed
ERYC27	Biodiversity Net Gain (BNG) <i>Biodiversity</i>	<p>East Riding of Yorkshire Council confirmed in its Response to Deadline 2 Submissions [REP3-056] that the Applicant had satisfactorily addressed its queries (see the Local Impact Report [REP1-086]) relating to minor discrepancies between the metric and the assessment within ES Appendix 7.10: Biodiversity Net Gain Assessment [APP-114] and its request for further justification behind some of the assumptions the assessment is based on.</p> <p>East Riding of Yorkshire Council will continue to work with the applicant as the biodiversity baseline is fully developed and post development biodiversity unit loss, creation and enhancement is confirmed.</p>	The Applicant welcomes this response. As set out in the Response to Local Impact Report [REP2-037] (items 7.163 to 7.177), the Applicant updated ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [REP2-023] , which was submitted at Deadline 2, to amend minor discrepancies and provide clarification on the assumptions that the assessment is based on.	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
ERYC28	Outline OEMP <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 2 October 2025 that it is satisfied with the Applicant's response to its request that Table 5-1 of the oOEMP [APP-154] should include procedures for implementing, adapting and monitoring any protected species licences.	The Applicant welcomes this response. The Outline LEMP [EN010157/APP/7.5 Revision 6] states that due to the passive nature of the Proposed Development during the operational phase there are no significant effects anticipated on protected and notable species. However, in the event that any work outside the scope of the routine maintenance set out within the Outline OEMP [EN010157/APP/7.3 Revision 3] is required, the Applicant will appoint an ecologist prior to works. The appointed ecologist will assess potential effects on protected and notable species and if required complete appropriate mitigation and licence applications if required.	Agreed
ERYC28a	Biodiversity Net Gain (BNG) – securing mechanism <i>Biodiversity</i>	East Riding of Yorkshire Council confirmed via email on 26 September 2025 that it is satisfied that BNG is appropriately secured through Requirement 9 in the Draft DCO through the Landscape and Ecological Management Plan.	The Applicant welcomes this comment. The Landscape and Ecological Management Plan, which is secured by Requirement 9 in the Draft DCO [EN010157/APP/3.1 Revision 7] and will be substantially in accordance with the Outline LEMP [EN010157/APP/7.5 Revision 6] , will set out the management and monitoring that are required in order to deliver the BNG outlined in ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [REP2-023] . The Landscape and Ecological Management Plan will be reviewed after 30 years to ensure it is fit for purpose for the remaining 10 years of the Proposed Development operation.	Agreed
Water				
ERYC29	Land drainage – surveys <i>Hydrology and Flood Risk</i>	East Riding of Yorkshire Council confirmed via email on 3 September 2025 that it is satisfied with the Applicant's approach to land drains, having previously commented that sites should be surveyed for existing land drainage systems and works should not impact on existing drainage systems. Access should also be considered for future maintenance and inspections of existing watercourses.	<p>The Applicant welcomes this response. The Applicant has obtained copies of all existing land drainage plans, where available, from the landowners. In addition, the Applicant has undertaken geophysical surveys which have validated the majority of these land drains.</p> <p>It will not be possible for the solar PV module mounting frames to be installed without damaging some drains. However, the effects are anticipated to be negligible. Furthermore, the Applicant has agreed through land option agreements with each landowner to commission two years of annual land drainage reviews with each landowner, following completion of construction, undertaken by an independent consultant.</p> <p>The Outline CEMP [EN010157/APP/7.2 Revision 2] has been updated to include the commitment to inspect land drains to ensure no damage has occurred or pollution pathways created. If land drains have been damaged, any remedial works will be identified and a plan for their delivery will be implemented. The updated Outline CEMP [EN010157/APP/7.2 Revision 2] is submitted at Deadline 1.</p> <p>The Proposed Development design incorporates setbacks from existing watercourses in accordance with the requirements of the Beverley and North Holderness Internal Drainage Board and the Environment Agency.</p>	Agreed
ERYC30	Surface water drainage strategy <i>Hydrology and Flood Risk</i>	<p>It was agreed with East Riding of Yorkshire Council (Lead Local Flood Authority) and the Beverley and North Holderness Internal Drainage Board in an online meeting on 6 June 2024 that there would be no positive drainage. Instead, rainwater would be directed to ground as per the existing site.</p> <p>This drainage strategy was later amended to include positive drainage at the substations with a restricted outfall to the nearby watercourses, following discussions with</p>	The Applicant welcomes this response. The drainage strategy is incorporated within ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] .	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
		Beverley and North Holderness Internal Drainage Board. East Riding of Yorkshire Council (Local Lead Flood Authority) has agreed in principle to the revised approach.		
ERYC31	Scoping out Water as a chapter in the ES <i>Approach to EIA</i>	East Riding of Yorkshire Council agreed with the approach of scoping out Water as a standalone ES chapter.	The Applicant welcomes this response. The Applicant reached agreement with the Environment Agency prior to submission of the DCO Application that surface water and flood risk would be scoped out of the ES as a standalone Water chapter on the basis that ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] (which demonstrates no significant impact) and ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [EN010157/APP/6.4 Revision 2] are submitted in support of the DCO Application and groundwater quality remains scoped into ES Volume 2, Chapter 10: Land, Soils and Groundwater [APP-046] . Further explanation of the approach is provided within ES Volume 1, Chapter 5: Approach to the EIA [APP-041] .	Agreed
Air Quality				
ERYC32	Scope and methodology <i>Air Quality</i>	East Riding of Yorkshire Council agreed with the approach to the assessment of Air Quality.	The Applicant welcomes this response. See ES Volume 2, Chapter 6: Air Quality [APP-042] for details.	Agreed
Landscape and Visual				
ERYC33	Residential Visual Amenity Assessment <i>Landscape and Visual</i>	East Riding of Yorkshire Council's appointed landscape consultants, 2B Consultants, agreed with the proposed approach for the Residential Visual Amenity Assessment.	The Applicant welcomes this response. See ES Volume 4, Appendix 11.5: Residential Visual Amenity Assessment [APP-132] for details.	Agreed
ERYC34	Hedgerow/ tree planting <i>Landscape and Visual</i>	<p>East Riding of Yorkshire Council's landscape consultants were satisfied with the extent and design of proposed screening planting in the submitted DCO Application following amendments after the site walkover on 28 August 2024.</p> <p>However, in their Response to the Examining Authority's Second Written Questions (ExQ2) [REP3-055] (item 2.10.5) and following a review of the Applicant's proposed changes to permissive path routes (see the Third notification of proposed changes to the DCO Application [AS-017]), East Riding of Yorkshire Council's landscape consultants suggested locations where additional screening planting may be beneficial. This was discussed in an online meeting on 28 October 2025 and East Riding of Yorkshire Council's landscape consultants confirmed they <u>were</u> satisfied with the Applicant's response to their suggestions.</p>	<p>The Applicant welcomes this response. ES Volume 2, Chapter 11: Landscape and Visual [EN010157/APP/6.3 Revision 2] and ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [EN010157/APP/6.3 Revision 4] REP4-073 was have been updated <u>and submitted at Deadline 4</u> to include the additional planting agreed in the meeting on 28 October 2025. This comprises sd planting of new hedgerows on the eastern boundary of Field E1 and the western boundary of Field E2, either side of the access track to Meaux Decoy Farm and Woodhouse to help soften the impacts for residents of those properties and users of the proposed permissive path in that location. The Applicant is exploring the feasibility of increasing the separation <u>has since added hedgerow planting</u> between the permissive path and the solar PV modules at the southern extent of Field D17 to allow for hedgerow planting, as shown in the updated ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [EN010157/APP/6.3 Revision 5] <u>and will continue to liaise with East Riding of Yorkshire Council on this matter</u>. In other suggested locations (Fields E7 and E8, Field F14, Fields D16/D17 and Field B8) planting is not practical or feasible, for example due to special <u>spatial</u> constraints, due to the presence of existing hedgerow making it unnecessary, to avoid creating a 'tunnelling effect', or because it would reduce the efficacy of ecological mitigation areas or sterilise arable fields. Further details on planting are available in the Outline LEMP [EN010157/APP/7.5 Revision 89].</p>	Agreed <u>Under discussion</u>

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
		<u>East Riding of Yorkshire Council's landscape consultants confirmed via email on 13 November 2025 that they consider this matter to be resolved.</u>	The updated ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [EN010157/APP/6.3 Revision 54] is submitted at Deadline 4. As the changes in and ES Volume 2, Chapter 11: Landscape and Visual [EN010157/APP/6.3 Revision 2] are minor, they are captured in the Environmental Statement Addendum [EN010157/APP/8.2 Revision 7] , which is submitted at Deadline 4.	
ERYC35	Viewpoints and photomontages <i>Landscape and Visual</i>	East Riding of Yorkshire Council's landscape consultants broadly agreed with the viewpoint locations presented in the PEIR and with the viewpoints proposed to be included as photomontages. However, they requested the inclusion of additional viewpoints from within ZTV areas, potentially from higher ground, outside the agreed 3km study area, specifically views from the Minster Way Trail and Trans Pennine Trail.	The Applicant agreed to this request. Viewpoints from these locations were included but it was determined that potential visual amenity effects on users of the trails could be scoped out of the LVIA. See Table 11-3 of ES Volume 2, Chapter 11: Landscape and Visual [APP-047] and Viewpoint 28 (Trans Pennine Trail) and Viewpoint 29 (Minster Way) in ES Volume 4, Appendix 11.6: Viewpoints and Visualisations Part 2 [AS-002] .	Agreed
ERYC36	Listed buildings <i>Landscape and Visual</i>	East Riding of Yorkshire Council's landscape consultants agreed that listed buildings only need to be included in the LVIA if there are appropriate reasons to do so, e.g. National Trust properties which are also visitor attractions.	The Applicant welcomes this response. Listed buildings which are also residential properties are included in the LVIA within the assessments on settlements, local residents and/ or Residential Visual Amenity Assessment as appropriate. Other listed buildings are not included in the LVIA, and the Applicant considers that effects are more appropriately assessed in ES Volume 2, Chapter 9: Cultural Heritage [EN010157/APP/6.2 Revision 2] .	Agreed
ERYC36a	Construction lighting <i>Landscape and Visual</i>	East Riding of Yorkshire Council's landscape consultants agreed in an online meeting on 28 October 2025 that the potential effects of construction lighting on landscape character and visual amenity would be not significant and a detailed assessment is therefore not required. This is based on the details on construction lighting controls already contained within the Outline CEMP, the understanding that construction in any one location is not anticipated to last more than a single winter season, and the fact that East Riding of Yorkshire Council is named as a statutory consultee for the Construction Environmental Management Plan.	<p>The Outline CEMP [REP3-026] contains mitigation measures to control potential lighting impacts, including no night-time working (19:00 to 07:00), unless otherwise agreed with the East Riding of Yorkshire Council, using motion detection or manually operated lighting where reasonably practicable to avoid constant lighting, and keeping artificial lighting to the minimum required for safe site operations and not directed towards hedgerows, tree lines, watercourses, badger setts, or ecological mitigation and enhancement areas.</p> <p>The Construction Environmental Management Plan is secured by Requirement 4 in the Draft Development Consent Order [EN010157/APP/3.1 Revision 8], which states that no part of the authorised development may commence until a Construction Environmental Management Plan, including details on measures to control construction lighting, for that part has been submitted to and approved by the local planning authority.</p> <p>As set out in ES Volume 1, Chapter 3: Proposed Development Description [EN010157/APP/6.1 Revision 3], the construction of the Proposed Development is anticipated to last 24 months and to be phased, with Land Areas B-F constructed in stages. Works on each Land Area are anticipated to take up to eight months while the works on the grid connection cable route connecting the on-site substations to the National Grid Creyke Beck Substation are anticipated to take up to ten months. Consequently, works in any one area are anticipated to occupy no more than one winter season, resulting in low potential for adverse effects.</p>	Agreed
ERYC36b	Hedgerow heights <i>Landscape and Visual</i>	East Riding of Yorkshire Council's landscape consultants confirmed in an online meeting on 28 October 2025 that they are satisfied with the Applicant's response to their request for confirmation that the minimum heights of hedgerows would be maintained when they are trimmed to provide effective screening of the Proposed Development.	The Applicant welcomes this response. As confirmed in the meeting on 28 October, the minimum heights of screening hedgerows (as set out in the Outline LEMP [EN010157/APP/7.5 Revision 7]) would be maintained when they are trimmed, so they would be maintained in the region of 3-3.5m in height.	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
ERYC36c	Planting sequencing <i>Landscape and Visual</i>	East Riding of Yorkshire Council's landscape consultants requested clarification on how the Applicant proposes to sequence planting, in terms of which areas would be prioritised, assuming that not all will be implemented in the first available planting season.	As set out in the Outline LEMP [EN010157/APP/7.5 Revision 7] , reinforcement of defunct and gappy hedgerows and the planting of new hedgerows and hedgerow trees will be undertaken within the earliest feasible timescales taking into account needs of construction traffic. The sequencing of planting will be determined by factors such as seasonality of planting, the final construction phasing plan and the need to provide sufficient ecological mitigation. Further details will be provided at the detailed design stage and set out in the Landscape and Ecological Management Plan, which is secured by Requirement 9 of the Draft Development Consent Order [EN010157/APP/3.1 Revision 8] and requires approval by East Riding of Yorkshire Council.	Agreed
ERYC36d	Dimensions of permissive paths that are available for horse riding <i>Landscape and Visual</i>	East Riding of Yorkshire Council's landscape consultants advised that permissive paths that are to be used by horse riders should be designed in accordance with East Riding of Yorkshire Council and British Horse Society guidance.	Where permissive paths are to be made available for horse riding (i.e. in Land Areas D and E), they will be built to have a minimum useable width of 3m as far as reasonably practicable. Where these permissive paths run between hedges, fences, walls or other such boundaries, they will have a minimum useable width of 4m, allowing for the strip immediately adjacent to the hedge, fence, wall or other boundary being unusable, in line with East Riding of Yorkshire and British Horse Society guidance, as far as reasonably practicable. This commitment is set out in the updated Outline LEMP [EN010157/APP/7.5 Revision 8] , which is submitted at Deadline 4.	Agreed
Noise and Vibration				
ERYC37	Monitoring and assessment approach <i>Noise and Vibration</i>	East Riding of Yorkshire Council agreed with the proposed Noise and Vibration monitoring and assessment approach in principle, with an expectation of noise-producing elements being situated away from noise-sensitive residential properties as part of the site layout design.	The Applicant welcomes this response. Appropriate buffers from noise-sensitive receptors have been incorporated into the design of the Proposed Development, as set out in ES Volume 2, Chapter 12: Noise and Vibration [APP-048] and the Design Parameters Document [EN010157/APP/5.8 Revision 2] .	Agreed
Transport and Access				
ERYC38	Construction access – temporary speed reductions <i>Transport and Access</i>	East Riding of Yorkshire Council indicated that temporary speed reductions on routes during the construction phase of the Proposed Development would be acceptable in order to ensure that visibility could be achieved without requiring the removal of hedges and trees.	The Applicant welcomes this response. See the Traffic Measures Plan [PDA-008] , and Schedule 7 of the Draft Development Consent Order [EN010157/APP/3.1 Revision 4] for details.	Agreed
ERYC39	Highways works (passing places/ widening) and traffic management measures <i>Transport and Access</i>	East Riding of Yorkshire Council agreed with proposed highways works, including updates following design changes, and confirmed that, if constructed to adoptable standards, East Riding of Yorkshire Council would be willing to adopt passing places/ areas of widening following completion of the construction phase of the Proposed Development.	The Applicant welcomes this response. See the Streets, Rights of Way and Access Plans [PDA-005] , the Traffic Measures Plan [PA-008] , and Schedules 4, 5, 6 and 7 of the Draft Development Consent Order [EN010157/APP/3.1 Revision 4] for details.	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
ERYC40	Transport Assessment <i>Transport and Access</i>	East Riding of Yorkshire Council agreed with the proposed scope of the Transport Assessment.	The Applicant welcomes this response. See ES Volume 4, Appendix 14.1: Transport Assessment [APP-138] for details.	Agreed
ERYC41	Large Loads <i>Transport and Access</i>	East Riding of Yorkshire Council confirmed that it had no issues with the proposed Large Load routes and agreed in principle to the closure of Meaux Lane should it be required.	The Applicant welcomes this response. See ES Volume 2, Chapter 14: Transport and Access [APP-050] and Section 5 of the Outline Construction Traffic Management Plan (Outline CTMP) [EN010157/APP/7.7 Revision 2] for details.	Agreed
ERYC42	Construction traffic (HGVs) along Park Lane, Cottingham <i>Transport and Access</i>	<p>East Riding of Yorkshire Council disagrees with the proposed routing of construction traffic (HGVs) along Park Lane, Cottingham due to potential impacts on local residents. Instead, East Riding of Yorkshire Council suggests utilising the proposed new access route off the A1079 associated with Creyke Beck substation extension work (Wanlass Beck), which is subject to a planning application by other developers. East Riding of Yorkshire Council recommended engaging with National Grid and Orsted to better understand their timeframes.</p> <p><u>East Riding of Yorkshire Council confirmed via email on 30 October 2025 that it welcomes the addition to the Outline CTMP regarding exploring the use of the alternative access off the A1079 but sought assurances that use of the alternative access would remove the use of Park Lane.</u></p>	<p>The Applicant has investigated using the proposed new access route off the A1079 and has sought to reach out to other relevant parties, i.e. NGET and Orsted, however engagement with Orsted has halted due to the discontinuation of the Hornsea 4 offshore wind farm project. The Applicant maintains its position that Park Lane is the most appropriate option given the short duration of the works in this location (several months to complete the laying of the final 700m of underground cable and connection works into the National Grid Creyke Beck substation) and the low volume of vehicle movements required (10 HGVs per day, i.e. 20 HGV movements, plus 10 LGVs, i.e. 20 LGV movements) especially in comparison to other consented schemes utilising Park Lane (e.g. 23/03926/STPLF), as well as the lack of certainty over when the access route off the A1079 will be delivered, meaning the Applicant cannot rely on it to provide access to the Proposed Development.</p> <p>Management of construction related HGVs and other vehicles would be controlled through the Construction Traffic Management Plan, which will be substantially in accordance with the Outline CTMP [EN010157/APP/7.7 Revision 5] and which will provide protection to other road users on Park Lane. The Outline CTMP [EN010157/APP/7.7 Revision 5] has been updated to include a commitment to no construction traffic along Park Lane during school pick-up/drop-off times. This will avoid construction traffic along the nearby road network (e.g. Northgate Road/Harland Way depending on the final traffic routing) during the pick-up and drop-off times of primary and secondary schools in Cottingham.</p> <p>Following ongoing discussions with East Riding of Yorkshire Council and as part of item 8 of the Issue Specific Hearing 2 [EV6-002], the Outline CTMP [EN010157/APP/7.7 Revision 5] has been updated to state the following: "The Applicant will explore the use of an alternative access which is planned to be created off the A1079 and is associated with the construction of the Wanlass Beck substation as an alternative to the proposed access on Park Lane, should the access off the A1079 have been constructed and made operational, at an appropriate time to avoid disruption or delay to the construction programme of the Proposed Development and subject to all necessary agreements and rights being able to be obtained to use the access. <u>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.</u>"</p> <p>The updated Outline CTMP [EN010157/APP/7.7 Revision 56] is submitted at Deadline 45.</p>	Under discussion

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
			The Applicant will continue to engage with East Riding of Yorkshire Council on this matter.	
ERYC42a	New access points/ routes <i>Transport and Access</i>	<p>East Riding of Yorkshire Council confirmed its approval of Changes 3 and 9 (see the Second Notification of Proposed Changes to the DCO Application [AS-015] for details) via email on 3 October 2025.</p> <p>Regarding Change 3, in a meeting on 20 August 2025 East Riding of Yorkshire Council agreed that the proposed new A165 access could be managed through provision of a banksperson.</p> <p>Regarding Change 9, the proposed new access route utilising the existing farm access off the A1035, East Riding of Yorkshire Council suggested that a left turn only entry and exit restriction enforced for HGVs would be a favourable management solution. Additionally, East Riding of Yorkshire Council confirmed that a passing place would be required within the inter-visibility splay of vehicles entering the Site, or that sufficient width should be provided at the access for two vehicles to pass. East Riding of Yorkshire Council is satisfied that the information provided by the Applicant shows sufficient mitigation to allow construction vehicle movements to enter/exit the farm access from A1035, which could be managed with temporary traffic measures if required.</p>	The Applicant welcomes this response and agrees to this request. The Outline CTMP [EN010157/APP/7.7 Revision 4] includes a commitment to restricting HGVs to left turn movements only at the farm access off the A1035. New Access and Highway Mitigation Plans showing the access general arrangements have been prepared to ensure that HGVs can enter and exit with appropriate passing provision at the A1035 access. The plans are presented in Appendix G of ES Volume 4, Appendix 14.1: Transport Assessment [REP2-133] .	Agreed
Material Assets and Waste				
ERYC43	Scoping out material assets and waste as separate ES chapter <i>Waste</i>	<p>East Riding of Yorkshire Council's Principal Environmental Control Officer agreed that materials and waste could be scoped out from full assessment within the Environmental Statement, as the topic issues will be sufficiently covered through other ES chapters and relevant management plans.</p> <p><u>East Riding of Yorkshire Council's Principal Environmental Control Officer defers to the Environment Agency for other matters relating to material assets and waste.</u></p>	<p>The Applicant welcomes this response. Potential streams and volumes of construction materials and waste disposal are covered within the Outline Site Waste Management Plan [APP-161], while indirect impacts associated with materials consumption and waste disposal (e.g. release of greenhouse gas emissions, water consumption, amenity impacts, ecological impacts, etc) are assessed in ES Volume 2, Chapter 7: Biodiversity, ES Volume 2 [EN010157/APP/6.2 Revision 2], Chapter 8: Climate [APP-043], and ES Volume 2, Chapter 10: Landscape and Visual [APP-047].</p> <p>Waste management measures are set out in the Outline CEMP [EN010157/APP/7.2 Revision 2], the Outline OEMP [EN010157/APP/7.3 Revision 2], the Outline DEMP [EN010157/APP/7.2 Revision 2], and the Outline Site Waste Management Plan [APP-161].</p> <p><u>As set out in Appendix A of the Environment Agency's Comments on the deadline 3 submissions [REP4-083], the Environment Agency has raised no concerns in relation to waste.</u></p>	Agreed
Land, Soil and Groundwater				
ERYC44	Minerals safeguarding –	East Riding of Yorkshire Council agreed that issues relating to mineral extraction sites and mineral	The Applicant welcomes this response. See Appendix 4 - Minerals Safeguarding Assessment to the Planning Statement [APP-147] .	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
	scoping out of the ES <i>Approach to EIA</i>	safeguarding areas can be scoped out of the ES, comprising an appendix to the Planning Statement instead.		
Cumulative Effects				
ERYC45	Methodology and shortlist <i>Approach to EIA</i>	East Riding of Yorkshire Council agreed with the proposed methodology and shortlist of other existing and/or approved developments. East Riding of Yorkshire Council suggested a number of additional other existing and/or approved developments that should be considered in the cumulative effects assessment.	The Applicant agreed to consider the other developments suggested by East Riding of Yorkshire Council in the long list (ES Volume 4, Appendix 15.1: Long List of Other Existing and/or Approved Development [APP-143]) and, where the cumulative criteria was met, they were taken forward to the short list (Table 15-3 of ES Volume 2, Chapter 15: Cumulative Effects [APP-051]). Where relevant, they have also been considered in Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2] .	Agreed
Public Rights of Way (PRoW)				
ERYC46	Outstanding claims for PRoW <i>Design of Development</i>	East Riding of Yorkshire Council's Definitive Map team confirmed that the proposed permissive path route (through Land Areas D and E) was acceptable and that, as long as the Applicant commits to providing the proposed permissive path route for the lifetime of the Proposed Development, East Riding of Yorkshire Council would not seek to designate the provisional route as PRoW during that period (notwithstanding its statutory duty to process and determine an external application if received).	The Applicant welcomes this response. The Outline OEMP [EN010157/APP/7.3 Revision 2] includes a commitment to maintaining access to footpaths, including the proposed permissive paths, throughout the operational phase of the Proposed Development.	Agreed
ERYC47	Outline Rights of Way and Access Management Plan – terminology <i>Design of Development</i>	East Riding of Yorkshire Council's Countryside Access Officer commented that clarity was needed regarding the terminology used in the Outline Rights of Way and Access Management Plan [EN010157/APP/7.9] , i.e. the nuances between a footpath, a bridleway, a restricted byway, and a Byway Open to All Traffic (BOAT).	The Applicant agrees to the request. The Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2] accordingly and is submitted at Deadline 1.	Agreed
ERYC48	Outline Rights of Way and Access Management Plan – alternative routes <i>Design of Development</i>	East Riding of Yorkshire Council's Countryside Access Officer confirmed via email on 15 October 2025 that they were satisfied with the Applicant's response to their comment that diverted PRoW should ideally avoid main roads, particularly those at national speed limit. The preference would be for them to 'chicane' around works areas, reverting once works are complete. This would require appropriate signage for users and briefing of all site workers/ visitors of the possibility of PRoW users crossing, or possibly being on, the haul/access road.	The Applicant welcomes this response. As set out in the Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2] , there are no temporary PRoW diversions proposed as part of the Proposed Development. The Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2] sets out that any temporary closures/ restrictions required would be consulted on with East Riding of Yorkshire Council in advance of these taking place.	Agreed
Population and Human Health				
ERYC49	Health impacts <i>Human Health</i>	East Riding of Yorkshire Council's Senior Public Health Officer agreed with the Applicant's proposed approach to considering health impacts.	The Applicant has not undertaken a standalone Health Impact Assessment as potential health impacts arising from the construction and operation of the Proposed Development are considered within ES Volume 2, Chapter 6: Air Quality [APP-042] , ES Volume 2, Chapter 11: Landscape and Visual [APP-047] , ES Volume 2, Chapter 12: Noise and Vibration [APP-048] and ES Volume 2, Chapter 14: Transport and Access [APP-050] .	Agreed

Ref	Topic	East Riding of Yorkshire Council's Position	Applicant's Position	Status
			This approach is in accordance with the Scoping Opinion response received from the Planning Inspectorate (see ES Volume 4, Appendix 5.2: Scoping Opinion [APP-098]).	
ERYC50	Construction workers and demand on local health services <i>Human Health</i>	East Riding of Yorkshire Council's Senior Public Health Officer agreed that the anticipated increase in staff/workers in the area associated with the construction of the Proposed Development would not have a significant impact on local health services.	The Applicant welcomes this response. It is anticipated that a small number of workers would stay in the vicinity of the Site during the 24-month construction phase (see ES Volume 2, Chapter 13: Population [APP-049] for details), a percentage of whom may require local healthcare facilities. This is not anticipated to result in a significant short-term increase in the demand for local health care facilities.	Agreed
ERYC51	Tourism <i>Population</i>	East Riding of Yorkshire Council is satisfied that given there are no tourism sites directly adjacent to the Proposed Development and subject to appropriate landscaping and the design parameters proposed, the Proposed Development would not adversely impact upon the tourism attraction of the area.	The Applicant welcomes this response. See the Outline LEMP [EN010157/APP/7.5 Revision 3] for details on proposed landscaping and planting, and the Design Parameters Document [EN010157/APP/5.8 Revision 2] .	Agreed
ERYC51a	<u>Community Wellbeing</u> <i>Human Health</i>	<u>East Riding of Yorkshire Council's Council Public Health team confirmed via email that it recognises that concerns relating to mental health and community wellbeing will be addressed through the establishment of a Community Liaison Group, operating from pre-construction through to final commissioning of the Proposed Development, providing a structured mechanism for engagement with local communities and for managing issues that may arise such as perceived risks, anxiety, stress and environmental annoyance.</u>	<u>As secured in the Outline Construction and Environmental Management Plan [REP4-027], a Community Liaison Group will be set up prior to construction and will continue through until final commissioning of the Proposed Development as a formal forum for local issues to be raised. A Community Liaison Officer will be appointed to lead discussions with local communities and also act as the primary point of contact should there be any queries or complaints.</u>	Agreed
Planning Policy				
ERYC52	Principle of development <i>Principle of Development</i>	ERYC support the principle of the proposed development with regards to national and local planning policy on this application site provided there are no unacceptable impacts.	The Applicant welcomes this response.	Agreed
ERYC53	Local Policy Accordance <i>Policy and Legislation</i>	ERYC are satisfied that all relevant policies in the ERLP SD have been identified with regard had to what were the current and emerging Local Plans at that time. It should be noted that the East Riding Local Plan Strategy Document 2016 has been superseded by the East Riding Local Plan Strategy Document Update (ERLP SD) 2025. Whilst there is some conflict with aspects of certain policies, as highlighted in ERYC Local Impact Report, overall, the proposed scheme complies with the development plan when read as a whole'.	The Applicant has identified the relevant local planning policies and set out how the Proposed Development is in accordance with these within the Planning Statement [APP-147] , specifically Appendix 1- Policy Accordance Tables. The Applicant welcomes the confirmation from ERYC that the proposed scheme complies with the development plan when read as a whole.	Agreed
ERYC54	National Policy Accordance <i>Policy and Legislation</i>	ERYC are satisfied that the relevant sections and paragraphs of the NPPF have been identified and the relevant National Planning Statements have also been identified.	The Applicant has identified the relevant national planning policies and set out how the Proposed Development is in accordance with these within the Planning Statement [APP-147] , specifically Appendix 1- Policy Accordance Tables.	Agreed

4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:

On behalf of East Riding of Yorkshire Council:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date:

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