



# **Statement of Common Ground with East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum**

**Revision 2**

**December 2025**





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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 has been prepared collaboratively by the Applicant and the Consultee (East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum).
- 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 Communities<sup>1</sup>.
- 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”.*

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

- 1.1.6 The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not made between the Applicant and East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum 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 This SoCG has been updated at Deadline 5a to reflect the final position between the Applicant and East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum.

## **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 and Kingston upon Hull Joint Local Access Forum.
- 1.2.2 East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum is a statutory advisory body that safeguards Public Rights of Way (PRoW) and promotes their use for public access to the countryside, which can be beneficial for health. There is the potential for the Proposed Development to have an effect on PRoW.
- 1.2.3 Collectively, the Applicant and East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum 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 Applicant was directed to enter into a SoCG with East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum via the Rule 6 letter published on 24 June 2025. Table 1 shows a summary of the meetings and correspondence that has taken place between the Applicant and East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum 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 correspondence between the parties (e.g. that which was primarily administrative).

**Table 1: Record of Engagement since July 2025**

Date	Purpose of engagement	Description
<b>July 2025</b>	To discuss East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum's relevant representations.	Online meeting and follow-up email correspondence to discuss East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum's relevant representations.
<b>October – November 2025</b>	To discuss the outstanding matters within this SoCG.	Email correspondence to liaise on the remaining 'under discussion' items within this SoCG.

### 3 Current Position

- 3.1.1 The table below provides a summary of the final position of the Applicant and East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum 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.

**Table 2: Current position of the Applicant and East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum in relation to specific matters that have been under discussion to date**

Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
JLAF01	Public Rights of Way (PRoW) – temporary diversions  <i>Construction</i>	In their relevant representation <b>[RR-021]</b> (point no.1), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that any proposed temporary PRoW diversions be discussed with, and be acceptable to, East Riding of Yorkshire Council's Countryside Access Team and Definitive Map Officers.	As set out in the <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b> , there are no temporary PRoW diversions proposed as part of the Proposed Development. The <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b> sets out that any temporary closures required would be consulted on with East Riding of Yorkshire Council in advance of these taking place.	Agreed
JLAF02	PRoW – duration of temporary closures/ diversions  <i>Construction</i>	In their relevant representation <b>[RR-021]</b> (point no.1), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that the duration of each temporary closure and/or diversion should be minimised (ideally less than three months).	The Applicant agrees to this request. There are a number of PRoW on the grid connection cable route which will be intersected by the underground cable that will be installed. It is anticipated that the works required to install the grid connection cable will be short in duration (less than three months), meaning any potential PRoW management and/or closures and/or diversions will be short-term.  Similarly, PRoW within the Land Areas will not be temporarily closed for longer than three	Agreed

Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
			<p>months. The <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b> has been updated to confirm that the duration of temporary PRow closures would be limited to a maximum of three months, with the exception of any unforeseen delays outside of the Applicant's control.</p> <p>The updated <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b> is submitted at Deadline 1.</p>	
JLAF03	PRow – timetable for closure  <i>Construction</i>	In their relevant representation <b>[RR-021]</b> (point no.2), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that the Applicant give a timetable for closure of PRow which should be on a rolling basis, geographically and temporally, and not involve all PRow within the Site for the duration of the installations.	<p>The Applicant agrees to this request. As secured in the updated <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b>, further details on a timetable for closure of PRow will be provided within the Rights of Way and Access Management Plan, once a Principal Contractor has been appointed, and will be linked to the construction phasing works.</p> <p>The updated <b>Outline Rights of Way and Access Management Plan</b></p>	Agreed



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			<b>[EN010157/APP/7.9 Revision 2]</b> is submitted at Deadline 1.	
JLAF04	PRoW – designation of permissive footpaths and bridleways  <i>Draft DCO</i>	In their relevant representation <b>[RR-021]</b> (point no.3), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that the Applicant specify that the permissive footpaths and bridleways outlined in the application be designated as such for the lifetime of the Proposed Development.	<p>The permissive paths are authorised under Work No. 3 of Schedule 1 to the <b>Draft Development Consent Order (DCO) [EN010157/APP/3.1 Revision 4]</b>. Access to the permissive paths for the lifetime of the Proposed Development is secured through the <b>Outline Operational Environmental Management Plan [EN010157/APP/7.3 Revision 2]</b>, which is secured by Requirement 14 of the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b>.</p> <p>There are no new bridleways proposed within the Order Limits, although several of the permissive paths within Land Areas D and E have been identified as accessible to horse riders (see paragraph 3.9.17 in the <b>Planning Statement [APP-147]</b>).</p> <p>As set out in the <b>Outline Landscape and Ecological Management Plan [EN010157/APP/7.5 Revision 3]</b>, the surfacing of permissive paths is yet to be</p>	Agreed

Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
			<p>determined, but the Applicant would explore options in consultation with the Community Liaison Group. This has been updated to state that options regarding the waymarking of permissive paths would also be explored with the Community Liaison Group.</p> <p>The updated <b>Outline Landscape and Ecological Management Plan [EN010157/APP/7.5 Revision 3]</b> is submitted at Deadline 1.</p>	
JLAF05	PRow – restoration of surface settlement  <i>Cable Route</i>	In their relevant representation <b>[RR-021]</b> (point no.4), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that the Applicant/ subsequent owners of the cables be required to adopt medium-term (7 years from completion) responsibility for restoration of surface settlement where PRow cross ground that has been disturbed, because soil settlement will undoubtedly occur to the detriment of access.	The Applicant agrees to this request. Following reinstatement of a PRow located within the grid connection cable corridor, for a period of up to seven years, should any settlement be identified, this could be reported to the Agricultural Liaison Officer, Community Liaison Officer or East Riding of Yorkshire Council's Countryside Access Team by a member of the public or landowner. An inspection to identify if any repair is required would be arranged. Should any restoration works be required that are attributed to the Proposed Development, they would be agreed with East	Agreed

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			<p>Riding of Yorkshire Council and the relevant landowner and undertaken by the Applicant.</p> <p>This commitment has been added to the updated <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b>, which is submitted at Deadline 1.</p>	
JLAF06	<p>PRoW – enhancement of existing PRoW</p> <p><i>Design of Development</i></p>	<p>In their relevant representation <b>[RR-021]</b> (point no.5), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that the Applicant identify how the project will enhance existing PRoW in the development area and in the vicinity in accordance with the National Planning Policy Framework (Revised; para. 105). Given the size and scale of the proposed development, the JLAF requests that a one-off fund be provided to East Riding of Yorkshire Council to deliver improvements to existing public rights of way (e.g. improvements to signs/waymarking, bridges and structures, surfacing, as required). This would be in addition to the proposed annual community benefit fund and in addition to</p>	<p><b>ES Volume 1, Chapter 3: Proposed Development Description [APP-039]</b> provides details of the proposals to provide a network of new permissive paths as part of the Proposed Development design. The new permissive paths aim to maintain and improve connectivity in and around the Site and in the local area through connecting to existing PRoW. This is in accordance with the Overarching National Policy Statement for Energy (EN-1), which states that applicants should “take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access” and the</p>	Not agreed

Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
		<p>the network of new permissive paths proposed, and in accordance with National Policy Statement EN-1 and NPPF paragraph 105. Enhancements to existing PROW should be undertaken with the Council's PROW/Countryside Access officers rather than in consultation with the Community Liaison Group.</p> <p>East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum added via email on 16 October 2025 that it would consider a one-off contribution of £150,000 to be reasonable, to be used by East Riding of Yorkshire Council's Countryside Access Team to identify and effect local PROW enhancements within the lifetime of the Proposed Development, either on-site or off-site in the parishes impacted by the Proposed Development.</p> <p>East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum added via email on 12 November 2025 that it recognises that the Applicant has</p>	<p>National Policy Statement for Renewable Energy Infrastructure (EN-3), which states that "applicants should consider and maximise opportunities to facilitate enhancements to the public rights of way and the inclusion, through site layout and design of access, of new opportunities for the public to access and cross proposed solar development sites (whether via the adoption of new public rights of way or the creation of permissive paths), taking into account, where appropriate, the views of landowners."</p> <p>As stated in ref. JLAF04 in this table, the updated <b>Outline Landscape and Ecological Management Plan [EN010157/APP/7.5 Revision 3]</b>, which is submitted at Deadline 1, states that the surfacing and waymarking of permissive paths are yet to be determined, but the Applicant would explore options in consultation with the Community Liaison Group. The Applicant will also consult with the Community Liaison Group regarding waymarking of existing PROW that cross the</p>	

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		<p>offered, as enhancement, to establish Permissive Paths and to consider their signposting at some future date. The Applicant has, subsequent to the original DCO application and through a Targeted Consultation, proposed reducing the lengths of these Permissive Paths in order to avoid wildlife disturbance, and, recognising the value of the issue, the JLAF has raised no objection. The view of the JLAF is that the proximity of security fencing and the solar panel arrays to the Permissive Paths, as well as to existing Public Rights of Way, significantly decreases the amenity of both, and does not enhance Public Rights of Way as advised by the National Planning Policy Framework, even though the Permissive Paths would provide some increased countryside access. It is in this context that JLAF continues to press for a one-off monetary contribution to East Riding of Yorkshire Council, to be ringfenced for enhancements of existing local PRow in order to mitigate the negative impacts on</p>	<p>Site. Beyond this, no enhancement of existing PRow is proposed given that significant effects of the Proposed Development on PRow are limited to visual effects on three PRow, one of which is only for the first year of operation (see Table 11-15 in <b>ES Volume 2, Chapter 11: Landscape and Visual [REP5-016]</b>), taking into account the measures proposed in the <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b>. Further details will be provided in the Landscape and Ecological Management Plan and the Rights of way and Access Management Plan, which are secured by Requirements 9 and 10 respectively of the <b>Draft Development Consent Order [REP3-005]</b>, and which require approval by East Riding of Yorkshire Council.</p> <p>The new permissive paths are restricted to the Land Areas (and not the grid connection cable route) as this land will remain in the control of the Applicant for the lifetime of the Proposed Development.</p>	

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		landscape amenity that will arise from installation of the solar farm.		
JLAF07	PRoW – annual developer contribution  <i>Draft DCO</i>	Following discussions in an online meeting on 25 July 2025, in relation to their relevant representation <b>[RR-021]</b> (point no.6), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum confirms that it will not be seeking for the Applicant to be required to give an undertaking to provide an annual developer contribution (a Section 106 agreement) to ERYC for the delivery of improvements to public rights of way and access in parishes affected by the PV arrays and crossed by the cable corridors. This is because the applicant has committed to providing an annual community benefit fund.	The Applicant welcomes this response. <b>ES Volume 2, Chapter 13: Population [APP-049]</b> concludes no significant effects on walkers, cyclists and horse riders via impacts to PRoW during construction, operation and decommissioning of the Proposed Development. In addition, the Applicant is proposing to provide a network of new permissive paths which are indicated in <b>ES Volume 3, Figure 3.4: Indicative Environmental Masterplan [APP-058]</b> . The new permissive paths have been designed to retain and improve the recreational connectivity of the existing PRoW around the Site. Management of PRoW within the Order Limits is set out in the <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b> and secured through the requirements in Schedule 2 of the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b> . Access to the proposed new permissive path network for the lifetime of the Proposed Development is secured through the <b>Outline</b>	Agreed

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			<p><b>Operational Environmental Management Plan [EN010157/APP/7.3 Revision 2]</b>, which is secured by Requirement 14 of the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b>.</p> <p>As there are not anticipated to be any significant effects on access to the PRow network and appropriate mitigation measures are already secured in the documents mentioned above, a contribution to additional improvements to PRow and access is not considered necessary to make the Proposed Development acceptable in planning terms. The Applicant has, however, committed to providing a Community Benefit Fund, which sits outside the DCO Application. On previous projects, Community Benefit Funds have been used to deliver initiatives that include public rights of way improvements.</p>	
JLAF08	PRow – mitigation measures  <i>Policy and Legislation</i>	Following discussions in an online meeting on 25 July 2025, in relation to their relevant representation <b>[RR-021]</b> (point no.7), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum confirms it is satisfied that the	Appendix 1: Policy Accordance Tables, to the <b>Planning Statement [APP-147]</b> sets out the DCO Application's accordance with NPS EN-1 paragraphs 5.11.30 and 5.11.31. This explains that that the <b>Outline Rights of Way and Access Management Plan</b>	Agreed

Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
		Applicant has included appropriate mitigation measures regarding the Proposed Development's impact on PRow and countryside access (Overarching National Policy Statement for Energy EN-1; paras 5.11.30 and 5.11.31).	<b>[EN010157/APP/7.9 Revision 2]</b> includes the mitigation, management and monitoring measures for the PRow affected by construction. <b>ES Volume 2, Chapter 11: Landscape and Visual [APP-047]</b> also sets out mitigation planting that is proposed around PRow to reduce adverse landscape and visual effects for users.	
JLAF09	PRoW – fencing  <i>Design of Development</i>	Following discussions in an online meeting on 25 July 2025, in relation to their relevant representation <b>[RR-021]</b> (point no.8), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum confirms it is satisfied that the distances proposed by the Applicant between PRow and the security fencing that encloses solar PV modules are sufficient to ensure as small a loss of visual amenity for users of PRow as possible. In addition, it is satisfied that the proposed fencing type would be sufficiently transparent and of a height that provides for security but does not unduly impede PRow users' distant views.	The Applicant welcomes this response. As secured by the <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b> , the Proposed Development incorporates a minimum offset distance of 10m from all PRow. Table 11-10 in <b>ES Volume 2, Chapter 11: Landscape and Visual [APP-047]</b> states that this measure will minimise the level of visual change for users of the PRow network.  As set out in Table 3-5 in <b>ES Volume 1, Chapter 3: Proposed Development Description [APP-039]</b> , the perimeter security fence around operational areas of the Proposed Development will be a post and wire deer fence, measuring up to 2m in height. The	Agreed



Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
			2m height is required for security purposes and reflects industry standard. The post and wire fencing proposed is relatively fine (comparable to stock proof fencing) and therefore exhibits a high degree of visual permeability. These parameters are secured by the <b>Design Parameters Document [EN010157/APP/5.8 Revision 2]</b> .	
JLAF10	PRoW – claims for PRoW  <i>Consultation and Engagement</i>	In their relevant representation <b>[RR-021]</b> (point no.9), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum suggested that the Applicant take account of the former Secretary of State for the Environment's extension of the deadline to January 2031 for submission of claims of historical rights of way that are not recorded on the Definitive Map and the current Secretary of State's stated intention to abandon the deadline. East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requested that the Applicant be obliged to accommodate any approved claims by adjusting the configuration of the solar PV modules or seek approval and bear the	The Applicant welcomes this response. The Applicant has been engaging with East Riding of Yorkshire Council's Definitive Map Officer regarding historical rights of way not currently recorded on the Definitive Map and will continue to liaise with them. The Applicant is aware of an unrecorded PRoW route that roughly follows the route of a section of the proposed permissive path network as part of the Proposed Development within Land Areas D and E. As set out in item ERYC46 of the <b>Draft Statement of Common Ground with East Riding of Yorkshire Council [EN010157/APP/9.2 Revision 5]</b> , East Riding of Yorkshire Council's Definitive Map team confirmed that the proposed permissive path route (through Land Areas D and E) was	Agreed

Ref	Topic	East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum Position	Applicant's Position	Status
		<p>costs of acceptable permanent diversion. The JLAF proposed a need for a commitment by the applicant to accommodate any proven claims for historical public rights of way within the development area.</p> <p>East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum confirmed via email on 12 November 2025 that the reported agreement between the Applicant and East Riding of Yorkshire Council's Definitive Map team regarding a claim for a historic right of way, together with the Applicant's statement that it "will seek to accommodate diverted routes of claimed definitive paths within the Order Limits where they do not impact the layout of the required infrastructure" allow JLAF to agree that this matter is settled.</p>	<p>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 <b>Outline Operational Environmental Management Plan (Outline OEMP) [REP3-030]</b> includes a commitment to maintaining access to footpaths, including the proposed permissive paths, throughout the operational phase of the Proposed Development.</p> <p>The Applicant will seek to accommodate diverted routes of claimed definitive paths within the Order Limits where they do not impact the layout of the required infrastructure.</p>	

## 4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:

On behalf of East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum:

Name: [REDACTED]

Signature:

[REDACTED]

Date: 04/12/2025

On behalf of the Applicant:

Name: [REDACTED]

Signature:

[REDACTED]

Date: 05/12/2025

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