



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

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# **SCOPING OPINION:**

## **Proposed Light Valley Solar Project**

**Case Reference: EN0110012**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State)  
pursuant to Regulation 10 of The Infrastructure Planning (Environmental  
Impact Assessment) Regulations 2017

**19 December 2024**

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# 1. INTRODUCTION

1.0.1 On 08 November 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Light Valley Solar Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Light Valley Solar Project (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.

1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

[Documents | Light Valley Solar](#)

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice pages, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

## 2. OVERARCHING COMMENTS

### 2.0 Description of the Proposed Development

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
201	Para 2.1.1.4	Maximum design parameters	At this stage of development, the number and locations of project elements such as Battery Energy Storage Systems (BESS) and on-site substation(s) have not been determined. The Inspectorate notes the Applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the Proposed Development. The Inspectorate expects that at the point an application is made, the description of the Proposed Development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the Proposed Development or where details are not yet known, will set out the assumptions applied to the assessment in relation to these aspects. This should include the footprint and heights of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the development. The description should be supported (as necessary) by figures, cross-sections, and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out and justify the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the ES. The Inspectorate advises that each aspect chapter includes a section that outlines the relevant parameters / commitments that have informed the assessment.
202	Para 2.4.2.6	Panels	The Scoping Report states that there are two options for the proposed panels: static or tracking. The Inspectorate recommends that this decision is made prior to submission of the DCO application. If this is not possible, the ES should identify and assess the worst-case scenario for applicable topics (including Landscape and Visual, Cultural Heritage and Glint and Glare) during operation. The ES should consider the potential for tracker panels to cause noise emissions which could be perceptible to sensitive receptors and should either assess these accordingly where significant effects are likely to occur, or provide

ID	Ref	Description	Inspectorate's comments
			evidence of noise emission levels to demonstrate that significant effects would not occur at sensitive receptor locations.
203	Para 2.4.2.7	Terminology of parts of the Proposed Development	The Scoping Report refers to “hybrid containers” however does not appear to define or describe this term. Where technical terminology is used, the ES should provide a clear summary for the benefit of a non-technical audience.
204	Para 2.4.2.11	Absence of ground investigation data and provisional piling depths	<p>The Scoping Report refers to potential piling works required to a depth of up to 35m in some solar development site areas, however does not explain the current rationale that had led to these depths being chosen. The Inspectorate also notes that ground investigation to inform piling design is not proposed to be undertaken prior to the ES.</p> <p>Based on the absence of site-specific data and methodology around determining pile design depths, the ES should identify how these depths have been determined, and how the potential data limitation of an absence of site-specific surveys has been considered within the assessments within the ES, and demonstration that a worst case has been assessed, in particular in relation to chapters 12 (ground conditions) and 19 (water resources and flood risk).</p>
205	Para 2.5.1.7	Design principles - buffers	The Scoping Report makes numerous references to an ‘appropriate buffer’ to mitigate effects e.g. to watercourses, heritage assets and ecological receptors. The ES should confirm the buffers to be employed and demonstrate that they are secured through the site layout and/or relevant management plans.
206	Para 2.6.3.1	Access routes	The ES should describe the proposed site entrance/s and the routes to be used for all vehicular access during construction and operation of the Proposed Development and this information should be clearly presented on supporting plans within the ES. The ES should describe and assess the potential impacts (both positive and negative) associated with any improvements/ changes to the access routes which are either required to facilitate construction of the Proposed Development or are required for restoration purposes on

ID	Ref	Description	Inspectorate's comments
			completion of the works. For the assessment of impacts during construction, the ES should explain how the proposed access route(s) relate to sensitive receptors.
207	Para 2.6.5	Construction compounds	Paragraph 2.6.5 identifies the need for construction compounds within the panel areas and cable corridors. The ES should provide details regarding the number, location and dimensions of all construction compounds and access routes. Indicative timescales should be provided for all temporary works. The Applicant should make effort to locate the compounds where existing access to the construction site is available to reduce the need for new accesses and the resultant impacts.
208	n/a	Construction workers	No indication is given of the expected total workforce during construction, consequently it is unclear what the impact of the traffic movements associated with the local workforce will be. The ES should quantify the number of construction workers required and explain, with reference to relevant thresholds, whether this is likely to result in significant traffic effects.

## 2.1 EIA Methodology and Scope of Assessment

(Scoping Report Section 4)

ID	Ref	Description	Inspectorate's comments
211	Para 2.6.6.1 and 2.6.6.2	Materials and Waste	<p>The ES should include a description of the nature and quantity of materials and natural resources used in the Proposed Development, including expected quantities and types of any waste that would be generated during construction, operation and decommissioning. The ES should describe the assumptions made in the assessment with regards to likely exportation of waste.</p> <p>The Inspectorate notes Section 2.6.6.2 of the Scoping Report, which confirms that an outline Materials and Waste Management Plan (MWMP) will be submitted with the DCO which would detail quantities of waste and management. Although the Inspectorate is content with this approach, an assessment of effects relating to waste should be provided in the relevant aspect chapters where significant effects are likely to occur, including in relation to transport effects arising from the movement of waste.</p>
212	Para 3.3.1.5	Location of cable corridor outside of the current Scoping boundary	<p>Whilst the Inspectorate notes that the Applicant considers that any location of the cable corridor outside of the Scoping boundary would not result in any alterations to the scope of the assessments (and therefore this Scoping Opinion), the Inspectorate considers that the Applicant should be aware that substantial changes to the boundary post scoping may amend the statutory and non-statutory consultees identified at the Scoping stage. The Applicant should consider how amendments to the boundary affects the statutory consultation requirements.</p>
213	Para 4.5.5.1	Provision of Standalone Assessments	<p>The Inspectorate is unclear why the documents listed in Paragraph 4.5.5.1 are proposed to be provided outside of the ES, as the majority appear to relate directly to aspect / topic chapters that are proposed to be</p>



ID	Ref	Description	Inspectorate's comments
			<p>included within the ES. The Inspectorate recommends that the Applicant considers providing the relevant documents as Appendices to the ES, as this will assist the reader in locating the assessments on which the ES chapters are based.</p> <p>Regarding the Glint and Glare assessment, the applicant's attention is drawn to the comments from the Canal and River Trust and National Highways at Appendix 2 of this Opinion requesting that this assessment considers glint and glare impacts on river users and the Strategic Road Network (SRN).</p>
214	n/a	Decommissioning	<p>Potential impacts as a result of decommissioning the Proposed Development are to be scoped out for a number of topics on the basis that the effects of decommissioning are likely to be similar to or no worse than the effects from construction, for each aspect topic area.</p> <p>Where the construction phase has been scoped in on the basis that significant effects could occur, this suggests that there is potential for significant effects to occur during the decommissioning phase. Where it is assumed that the effects of decommissioning are likely to be similar to or no worse than the effects from construction, this should be justified.</p> <p>The ES should provide a proportionate description of the activities and works which are likely to be required to decommission the Proposed Development or extend its operational life, and the anticipated duration. Where significant effects are likely to occur as a result of works to decommissioning the Proposed Development or extending its operational life, these should be described and assessed in the ES.</p>
215	n/a	Transboundary	<p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this</p>

ID	Ref	Description	Inspectorate's comments
			<p>conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Page. 'Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process', links for which can be found in paragraph 1.0.7 above.</p>

### 3. ENVIRONMENTAL ASPECT COMMENTS

#### 3.1 Agricultural land and soils

(Scoping Report Section 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
31.1	Section 5.8 / Para 5.8.1.2 – 5.8.1.4	Impacts to agricultural businesses	<p>The Inspectorate notes that no assessment of the impacts to farm businesses is proposed on the basis that the landowners for the solar development sites and BESS locations have voluntarily agreed to be part of the Proposed Development, and have therefore undertaken their own assessments of viability, diversity and resilience of the farm businesses.</p> <p>The Inspectorate is not in agreement with this as a rationale for scoping out impacts to farm businesses, as there is currently no evidence of the voluntary agreements, or any evidence that any form of assessment has been undertaken.</p> <p>The Inspectorate is also not in agreement with the rationale provided at paragraph 5.8.1.4 which states that “This approach is supported by the fact that there is no relevant policy and guidance to support or maintain the viability of individual farms affected by development.” Where there is no recognised methodology available, it is a requirement of the Applicant to provide, with justification, an assessment methodology as part of the ES.</p> <p>The Inspectorate therefore considers that an assessment of the impacts to agricultural businesses should be included in the ES, including but not limited to removal of agricultural land from production, sterilisation / severance of remaining agricultural land, impacts from the loss of any grants or other financial systems and the effects of the potential requirement to switch from arable to livestock / grazing.</p>
31.2	Section 5.6 / Table 5.6	Loss of use of land for agriculture, including that of	On the basis that the assessment of loss of use of land for agriculture, including that of Best and Most Versatile quality for Solar Development Sites would be undertaken as part of the construction phase assessment, and based on the information provided within the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		BMV quality for Solar Development Sites - operation	Scoping Opinion indicating no further land take or intrusive works are required as part of the operational phase, the Inspectorate is in agreement that this matter can be scoped out of the operational assessment.
313	Section 5.6 / Table 5.6	Loss of agricultural land for Cable Corridors – construction, operation and decommissioning	The Scoping Report indicates at paragraph 5.8.1.2 that agricultural land uses can continue in the cable corridor during operation, and therefore there would be no loss of agricultural land. Provided that this can be demonstrated in the ES (for the operational phase) and given the short term and temporary nature of construction and decommissioning works, the Inspectorate is in agreement that this matter can be scoped out of the assessment for all phases of the Proposed Development.
314	Section 5.6 / Table 5.6	Damage to soils for Cable Corridors - operation	On the basis that the assessment of damage to soils in the cable corridor would be undertaken as part of the construction phase assessment, and based on the information provided within the Scoping Opinion indicating no further land take or intrusive works are required as part of the operational phase, the Inspectorate is in agreement that this matter can be scoped out of the operational assessment.

ID	Ref	Description	Inspectorate's comments
315	Throughout	Baseline data	<p>The Inspectorate considers that the approach to, and presentation of baseline data collection is inconsistent throughout the ES:</p> <ul style="list-style-type: none"> <li>• Paragraph 5.5.2.1 indicates surveys have been undertaken for solar development sites 1 and 5, however 5.10.1.1 states that the Applicant has not undertaken any survey work, and this data is from other surveys undertaken.</li> <li>• Paragraph 5.5.3.5 does not refer to the source of the more detailed soil series mapping for Solar Development Site 1, or why this is absent for other development areas and the cable corridor.</li> </ul>

ID	Ref	Description	Inspectorate's comments
			<ul style="list-style-type: none"> <li>Paragraph 5.5.3.8 does not appear to refer to the surveys undertaken at solar development sites 1 and 5 when discussing the likely Agricultural Land Classification.</li> </ul> <p>The Inspectorate considers that the ES should clearly define the scope and extent of baseline surveys, including the use of site-specific surveys (including defining “semi detailed” as given in paragraph 5.5.2.2) and third-party data, mapping and surveys, and identify any residual data gaps and how the assessments have considered these.</p>

## 3.2 Air Quality

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Para 6.8.1.2 and Table 6.10	Air quality impacts from construction dust – all phases	<p>The Scoping Report states that subject to the implementation of suitable site-specific mitigation measures through the Outline Construction and Decommissioning Environmental Management Plan (oCEMP and oDEMP) residual significant effects are unlikely. Paragraph 6.8.1.2 proposes a construction dust assessment to support the DCO application and to identify site-specific mitigation measures, which would feed into the oCEMP and oDEMP.</p> <p>The Inspectorate agrees that this matter can be scoped out, subject to the provision of the assessment being undertaken in line with relevant guidance and confirming that there is no potential for significant effects.</p> <p>Given the nature of the Proposed Development, the Inspectorate agrees that significant effects from dust and particulate matter from the operational phase of the Proposed Development are unlikely and that this matter can be scoped out of further assessment.</p>
322	Para 6.8.1.4, Table 6.10, Table 18.4	Air quality impacts from vehicle emissions – all project phases	<p>The Scoping Report proposes to scope out this matter for the construction and decommissioning phases on the basis that the anticipated vehicle movements will be below the Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) screening criteria.</p> <p>Paragraph 6.8.1.4 of the Scoping Report states that it is anticipated that there will be an additional 21 Heavy Goods Vehicle (HGV) movements per day for all five of the Solar Development Sites with a maximum of 5 HGV movements to any one of the Solar Development Sites. The Inspectorate notes that this is inconsistent with Table 18.4 of the Scoping Report, which estimates 26 HGV trips per day.</p> <p>If the ES can provide evidence that peak traffic construction flows as set out in Table 18.4 of the Scoping Report will not be exceeded the Inspectorate agrees that significant effects</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>on human receptors are unlikely and is content to scope this matter out of further assessment.</p> <p>The ES should provide confirmation of construction vehicle movements, access points and routes, and confirmation at the application stage that these would not exceed the IAQM screening criteria. Should these be exceeded, an assessment of effects from construction traffic emissions must be presented within the ES.</p> <p>In respect of impacts on ecological sites, the impacts of construction vehicle emissions on designated conservation sites that are sensitive to changes in air quality, including nitrogen and acid deposition, should be considered once construction routes are determined. Confirmation should be provided that traffic movements would not exceed the screening thresholds provided within 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations' (NEA001). Should these thresholds be breached, an assessment of effects should be included in the ES. Information from the Air Pollution Information System (APIS) may be of relevance to this assessment.</p> <p>Paragraph 6.8.2.2 of the Scoping Report proposes to scope out an assessment of traffic emissions during operation on the basis that minimal road traffic movements (5 per month) would occur, and air quality impacts will be negligible. On this basis, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.</p>
323	Table 6.10	Operational plant emissions	Based on the information given in the Scoping Report in relation to the nature of the Proposed Development, the Inspectorate agrees that an assessment of operational plant emissions can be scoped out of further assessment.
324	Table 6.10	Operation emissions of unplanned air quality	The Scoping Report proposes to scope out an assessment of unplanned air quality emissions due to a BESS fire event on the basis that the applicant intends to prepare an outline Battery Fire Safety Management Plan (oBFSMP) to support the DCO.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		emissions due to BESS fire event	<p>The Inspectorate agrees that this matter can be scoped out, subject to the BFSMP being prepared in line with relevant guidance and confirming that there is no potential for significant effects.</p> <p>The applicant's attention is drawn to the comments from National Highways at Appendix 2 of this Opinion in relation to the requirement for a Safety Risk Assessment (SRA) in accordance with standard GG104 of DRMB for the BESS.</p>

ID	Ref	Description	Inspectorate's comments
325	Para 6.5.3.1 and 6.5.7.2	Baseline data	<p>Paragraph 6.5.3.1 of the Scoping Report proposes to characterise baseline ambient air quality by way of a desk study. Paragraph 6.5.7.2 states that the closest monitoring site is located approximately 5km south of the application site. The Applicant should ensure that the baseline can be adequately characterised through a desk study and effort should be made to reach agreement with relevant consultation bodies, including the local authorities, as to whether any additional survey or monitoring work is required.</p>
326	Para 6.5.12	Location of receptors	<p>The ES should be accompanied by an appropriate plan illustrating the location of sensitive air quality receptors within the vicinity of the Proposed Development to aid understanding of the extent of effects.</p>



### 3.3 Biodiversity

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
331	Table 7.4	Skipwith Common Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)	<p>The Scoping Report states that potential impacts to the qualifying features of this designation are considered unlikely due to distance and lack of potential impact pathways with the potential to affect designated features during the construction, operation and decommissioning phase and construction traffic movements considered to be insufficient to create potential pathways through air pollution.</p> <p>The Inspectorate does not agree that this matter can be scoped out at this stage, without evidence demonstrating that no significant effects from the Proposed Development are likely and clear agreement with relevant statutory bodies where possible should be submitted with the ES.</p> <p>A full assessment of the direct and indirect effects on any national and international designated sites, such as Sites of Special Scientific Interest (SSSIs) and any mitigation measures to avoid, minimise or reduce any adverse significant effects should be set out in the ES.</p>
332	Table 7.4	Lower Derwent Valley SAC	<p>The Scoping Report states that potential impacts to qualifying features such as otter arising from indirect effects of construction if runoff were to result in pollution of Pallion Dike will be mitigated by following the standard pollution prevention measures outlined in the outline Construction Environmental Management Plan (oCEMP) and outline Landscape Environmental Management Plan (oLEMP). As such, potential impacts to these species and other qualifying features of the SAC are considered unlikely.</p> <p>The Inspectorate does not agree that this matter can be scoped out at this stage, without evidence demonstrating that no significant effects from the Proposed Development are likely and clear agreement with relevant statutory bodies where possible should be submitted with the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
333	Table 7.4	River Derwent SAC	<p>The Scoping Report states that potential impacts to qualifying features such as river lamprey arising from indirect effects of construction if runoff were to result in pollution of Pallion Dike (which eventually connects to the River Derwent via Common Drain and Old Derwent) will be mitigated by following the standard pollution prevention measures outlined in the oCEMP/oLEMP. Therefore, potential impacts to these species and other qualifying features of the SAC / SSSI are considered unlikely.</p> <p>The Inspectorate does not agree that this matter can be scoped out at this stage, without evidence demonstrating that no significant effects from the Proposed Development are likely and clear agreement with relevant statutory bodies where possible should be submitted with the ES.</p>
334	Table 7.4	Thorne and Hatfield Moors Special Protection Area (SPA)	<p>The Scoping Report states that potential impacts to the qualifying features of this designation are considered unlikely due to distance and lack of potential impact pathways with the potential to affect designated features during the construction, operation, and decommissioning phase.</p> <p>The Inspectorate agrees that this matter can be scoped out, provided information demonstrating that significant effects from the Proposed Development are not likely and evidence of agreement with relevant statutory bodies where possible is submitted with the ES.</p>
335	Table 7.4	Thorne Moor SAC	<p>The Scoping Report states that potential impacts to the qualifying features of this designation are considered unlikely due to distance and lack of potential impact pathways with the potential to affect designated features during the construction, operation, and decommissioning phase.</p> <p>The Inspectorate agrees that this matter can be scoped out, provided information demonstrating that significant effects from the Proposed Development are not likely and evidence of agreement with relevant statutory bodies where possible is submitted with the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
336	Table 7.4	Strensall Common SAC	<p>The Scoping Report states that potential impacts to the qualifying features of this designation are considered unlikely due to distance and lack of potential impact pathways with the potential to affect designated features during the construction, operation, and decommissioning phase.</p> <p>The Inspectorate agrees that this matter can be scoped out, provided information demonstrating that significant effects from the Proposed Development are not likely and evidence of agreement with relevant statutory bodies where possible is submitted with the ES.</p>
337	Table 7.4	Hatfield Moor SAC	<p>The Scoping Report states that potential impacts to the qualifying features of this designation are considered unlikely due to distance and lack of potential impact pathways with the potential to affect designated features during the construction, operation, and decommissioning phase.</p> <p>The Inspectorate agrees that this matter can be scoped out on this basis, provided information demonstrating that significant effects from the Proposed Development are not likely and evidence of agreement with relevant statutory bodies where possible is submitted with the ES.</p>
338	Table 7.4	Gilbertsons Plantation - Wheldrake Site 65 Sites of Importance for Nature Conservation (SINC)	<p>The Scoping Report states that there is potential for direct damage to habitats in the adjacent SINC. However, a 15m buffer from this SINC is proposed (as it is an ancient woodland) and this buffer, as well as the measures in the oCEMP/oLEMP should suffice to prevent direct impacts during construction, operation, and decommissioning phase. Works close to the boundary of the SINC could also lead to indirect disturbance of habitats and associated species. However following the design principles, the proposed 15m buffer discussed above should suffice to prevent indirect impacts during the construction, operation and decommissioning phase.</p> <p>The Inspectorate agrees that this matter can be scoped out on this basis, provided information demonstrating that significant effects from the Proposed Development are not</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			likely and evidence of agreement with relevant statutory bodies where possible is submitted with the ES.
339	Table 7.4	All other SINC's (20 within 2km of Solar Development Sites and 39 within 2km of Cable Corridor Options Area)	<p>The Scoping Report states that potential impacts to the qualifying features of these designation are considered unlikely due to distance and lack of impact pathways with the potential to affect designated features during the construction, operation, and decommissioning phase.</p> <p>The Inspectorate agrees that this matter can be scoped out on this basis, provided that information demonstrating that significant effects from the Proposed Development are not likely and evidence of agreement with relevant statutory bodies where possible is submitted with the ES.</p>
33.10	Table 7.4	Arable land	<p>Loss of extensive areas of arable habitat is anticipated and considered to be a habitat of negligible ecological importance. For those species of which this habitat has value (such as breeding birds), these species are scoped into the assessment and the value of this habitat is assessed within that feature.</p> <p>The Inspectorate is content for this matter to be scoped out on this basis, provided that there is evidence demonstrating that no significant effects from the Proposed Development are likely, and clear agreement with relevant statutory bodies where possible should be submitted with the ES.</p>
33.11	Table 7.4	Ancient Woodland (adjacent)	<p>The Scoping Report states that no loss of this habitat is anticipated and a 15m buffer from this habitat is proposed. This buffer, as well as the oCEMP/oLEMP should suffice to prevent impacts during construction, operation, and decommissioning phase. No ancient or veteran trees have been identified within the 2km baseline study area.</p> <p>The Inspectorate agrees that this matter can be scoped out on this basis.</p> <p>The Applicant's attention is drawn to the consultation responses from the Forestry Commission and Natural England at Appendix 2 of this Opinion on this matter.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
33.12	Table 7.4	Degradation of retained habitats	<p>The Scoping Report states that potential for damage to retained habitats will be avoided by following the design principles set out in the Scoping Report and oCEMP/oLEMP.</p> <p>The Inspectorate does not agree that this matter can be scoped out at this stage, without evidence demonstrating that no significant effects from the Proposed Development are likely and clear agreement with relevant statutory bodies where possible should be submitted with the ES.</p>
33.13	NA	Specific surveys for white-clawed crayfish.	In the absence of information such as evidence demonstrating that there is no suitable habitat for this species and clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter from the assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
33.14	Table 7.4, Para 7.5.2 and 7.5.6.1	Fish species – surveys and impacts	<p>The cable corridor options in the Scoping Report cross the River Ouse, and there are other waterbodies within the proposed solar development sites which may have potential impacts on fish from the Proposed Development.</p> <p>Surveys should be undertaken to understand the baseline environment for fish species.</p> <p>Impacts on fish from noise and vibration associated with HDD and other construction operations that could create noise during the construction and decommissioning phases should be assessed in the ES and any mitigation measures should be explained in the ES.</p> <p>The impact of electromagnetic fields (EMF) on fish species during construction and operation phases should also be assessed to understand the baseline and any mitigation measures if necessary should be set out in the ES.</p> <p>Potential water quality impacts on fish species through surface water run-off from the Proposed Development site and discharges from the Proposed Development should be assessed in the ES.</p>

ID	Ref	Description	Inspectorate's comments
			<p>The Applicant's attention is drawn to the consultation responses from the Environment Agency and Natural England at Appendix 2 of this Opinion on this matter.</p>
33.15	Section 7.4 and Para 7.9.2.1	Study area	<p>The Scoping Report sets study areas for statutory and non-statutory designated sites based on fixed distances. The ES should consider the potential for effects to occur beyond these fixed distances, particularly where sites are designated for mobile species such as birds and bats, or where there is hydrological connectivity.</p> <p>Effort should be made to agree the study area with relevant consultation bodies.</p>
33.16	Para 7.7.3.6	Great crested newts - licensing	<p>The Scoping Report states that further surveys may reveal the requirement for licences with bespoke mitigation solutions for protected species such as great crested newts.</p> <p>The Applicant's attention is drawn to the consultation response from Natural England on this matter (see Appendix 2 of this Scoping Opinion) and the use of the District Level Licensing (DLL) scheme for great crested newts (GCN).</p>
33.17	Para 7.9.3	Environmental impacts – air quality assessment	<p>The ES Biodiversity chapter should consider all potential impact pathways and assess any impacts arising from the Proposed Development which are likely to result in significant effects on ecological receptors. Justification for scoping out any ecological impact should be provided. For ecological receptors sensitive to air pollution, the ES should demonstrate how this matter has been assessed to demonstrate that no likely significant effects will occur.</p>
33.18	n/a	Confidential Annexes	<p>Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex.</p>

ID	Ref	Description	Inspectorate's comments
			All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

### 3.4 Climate change resilience

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Table 8.7	In-combination climate change impact (ICCI) assessment – all project phases	<p>The Scoping Report proposes to scope out an ICCI assessment for all project phases for:</p> <ul style="list-style-type: none"> <li>– Increase in extreme heat events</li> <li>– Increase in storm frequency and intensity</li> <li>– Increase in heavy rainfall and the risk of flooding and</li> <li>– Increased risk of drought</li> </ul> <p>The Inspectorate agrees that the Proposed Development, in combination with changes in temperature, storm frequency and intensity, flooding and drought are unlikely to result in significant effects upon receptors identified by other environmental disciplines. These matters can be scoped out of the ES.</p>
34.2	Table 8.8, Para 8.8.	Climate change resilience – construction phase	<p>The Scoping Report proposes to scope out an assessment of climate change resilience during the construction phase. The Inspectorate agrees that climatic conditions are not expected to change significantly during the construction stage and agrees that this matter can be scoped out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
34.3		n/a	n/a



### 3.5 Greenhouse gas emissions

(Scoping Report Section 9)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
35.1	n/a	n/a	No matters have been scoped out of the assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
352		n/a	n/a

### 3.6 Cultural Heritage

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
36.1	Table 10.10	Designated built heritage assets and conservation areas (Listed buildings and registered park and gardens of all grades, and conservation areas) – decommissioning phase	<p>The Scoping Report states that it is unlikely that decommissioning of the Proposed Development would result in the generation of additional significant effects to those resulting from construction and operation. While decommissioning of the Proposed Development in Solar Development Sites 1-5 would result in change(s) to the setting of designated heritage assets and conservation areas through removal of all above-ground equipment and infrastructure to 1.2mbgl, the magnitude of impact resulting from this is unlikely to result in significant effect(s) to the cultural significance (value) of any affected assets.</p> <p>The Inspectorate considers that the Scoping Report does not provide justification as to why decommissioning will not affect the setting of heritage assets. The layout of the Proposed Development, including the location of construction compounds and access points has not been finalised. As such, the Inspectorate does not agree to scope this matter out at this stage. The ES should assess indirect impacts to designated heritage assets during decommissioning.</p> <p>The Applicant's attention is drawn to the consultation response from Historic England on this matter (see Appendix 2 of this Scoping Opinion).</p>
362	Table 10.10	Non-designated built heritage assets (non-designated built heritage assets, locally listed buildings and locally listed park and gardens) – operation and	<p>The Scoping Report states that it is unlikely that operation and decommissioning of the Proposed Development would result in significant effects to non-designated built heritage assets.</p> <p>The Inspectorate considers that the Scoping Report does not provide justification as to why the operation or decommissioning phases will not affect the setting of heritage assets. As such, the Inspectorate does not agree to scope this matter out at this stage. The ES should assess impacts to non-designated heritage assets during operation and decommissioning.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		decommissioning phases	
363	Table 10.10	Archaeological heritage assets (designated and non-designated sites, monuments, features and other remains) – operation and decommissioning phases	<p>The Scoping Report states that it is unlikely that normal operations and periods of component replacement will result in significant effects to archaeological heritage assets left in situ following construction of the Proposed Development within Solar Development Sites 1-5 and the Cable Corridors. This is because any impact(s) would be associated with construction, and it is assumed that component replacement is unlikely to require excavation or other belowground works.</p> <p>The Scoping Report states that it is assumed that no or minimal additional impacts would occur to below ground archaeological heritage assets left in situ within Solar Development Sites 1-5 following completion of construction, and all inter-site cabling, located within the Cable Corridors, will not be removed as part of the decommissioning process. It is therefore unlikely that decommissioning would result in significance effect(s) to the cultural significance (value) of archaeological heritage assets and it is unlikely that decommissioning would result in the generation of additional significant effects to those resulting from construction and operation.</p> <p>The Inspectorate agrees that the operational phase can be scoped out on this basis, but considers that the Scoping Report does not provide justification as to why decommissioning will not affect archaeological heritage assets. As such, the Inspectorate does not agree to scope this matter out at this stage. The ES should assess indirect impacts to designated and non-designated heritage assets during operation and decommissioning. The Applicant's attention is drawn to the consultation response from Historic England on this matter (see Appendix 2 of this Scoping Opinion).</p>
364	Table 10.10	Unrecorded archaeology (In situ features, remains,	The Scoping Report states that it is unlikely that normal operations and periods of component replacement will result in significant effects to unrecorded archaeology left in situ following construction of the Proposed Development within Solar Development Sites 1-

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		and/or deposits. This could include paleoenvironmental deposits) – operation and decommissioning phases	<p>5 and the Cable Corridors. This is because any impact(s) would be associated with construction, and it is assumed that component replacement is unlikely to require excavation or other belowground works.</p> <p>The Scoping Report states that it is assumed that any surviving unrecorded archaeology located within Solar Development Sites 1-5 and the Cable Corridors which was not impacted during construction would not be affected during decommissioning. It is therefore unlikely that decommissioning would result in significant effect(s) to the cultural significance (value) of unrecorded archaeology. Therefore, it is unlikely that decommissioning would result in the generation of additional significant effects to those resulting from construction and operation of the Proposed Development.</p> <p>The Inspectorate agrees that the operational phase can be scoped out on this basis, but considers that the Scoping Report does not provide justification as to why decommissioning will not affect unrecorded archaeological features, remains or deposits. As such, the Inspectorate does not agree to scope this matter out at this stage. The ES should assess impacts to potential unrecorded archaeology during decommissioning.</p> <p>The Applicant's attention is drawn to the consultation response from Historic England on this matter (see Appendix 2 of this Scoping Opinion).</p>

ID	Ref	Description	Inspectorate's comments
365	Sections 10.6.1 to 10.6.3, Para 14.5.8.1	Viewpoints affecting the setting of heritage assets	Potential for changes to the setting of built and archaeological heritage assets are referred to. The LVIA should include an assessment of the impact on designated heritage assets and the ES should provide information on whether any significant effects on the setting of heritage assets are likely.

ID	Ref	Description	Inspectorate's comments
366	Section 10.6.1	Construction effects - Piling cable ploughing or trenching	The ES should include an assessment of any likely significant effects on below ground archaeology from any piling, cable ploughing or trenching methods used during the Proposed Development construction.
367	n/a	Direct impact pathways	The Scoping Report provides limited information about the potential direct impact pathways for likely significant effects to non-designated heritage assets within the scoping boundary. For the avoidance of doubt, the ES should include but not be limited to consideration of installation and removal of piling, cable trenching, any tracking platforms and any deep ploughing, along with any alterations to drainage patterns or dewatering.

### 3.7 Electric, magnetic and electromagnetic fields

(Scoping Report Section 11)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
37.1	Section 11.5.3	Electromagnetic Fields (EMF) effects - all project phases	<p>The Scoping Report seeks to scope out EMF on the basis that the Proposed Development would comprise underground cables with a maximum voltage up to and including 132 kilovolts (kV). As such, the Scoping Report considers that the Proposed Development would not be capable of exceeding the International Commission on Non-ionizing Radiation Protection (ICNIRP) exposure guidelines. On the basis that the proposed cables do not exceed 132kV, the Inspectorate is content that an assessment of EMF impacts on human receptors can be scoped out of the ES. However, if the design of the Proposed Development changes and voltages of over 132kV are proposed, this matter must be assessed.</p> <p>Notwithstanding the above, the Inspectorate considers that the ES should assess impacts on fish from EMF where significant effects are likely, see ID 3.3.14 above. The Applicant is advised to agree its assessment approach with the Environment Agency.</p> <p>It is noted that the Solar Development Sites and Cable Corridor Options Area are indicative at this stage. The ES should explain how the siting of the Solar Development Sites and Cable Corridor have been chosen to avoid adverse impacts on human and ecological receptors.</p>

ID	Ref	Description	Inspectorate's comments
372		n/a	n/a

### 3.8 Ground conditions

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
38.1	Chapter 12	<p>All aspects of Ground Conditions during construction, operation and decommissioning:</p> <ul style="list-style-type: none"> <li>• Effects on geology</li> <li>• Effects from contamination on surface water and groundwater resources</li> <li>• Effects from contamination on human health, built environment and ecology</li> <li>• Effects from Unexploded Ordnance on human health and built environment</li> </ul>	<p>The Inspectorate notes the justification provided by the Applicant in order to scope out all aspects of ground conditions from the ES. The Inspectorate considers that the information provided aligns with the requirements of the Nationally Significant Infrastructure Projects: Technical Advice Page for Scoping Solar Development, and accompanying Solar Scoping Table.</p> <p>On this basis, the Inspectorate is therefore in agreement that all aspects of ground conditions can be scoped out of further assessment. The Applicant however is advised to reconsider this dependent on the results of the Preliminary Risk Assessment (PRA). The Applicant is also directed to the Environment Agency's consultation response (Appendix 2) which provides information in relation to the requirements of the PRA.</p> <p>The Inspectorate also notes that matters related to water receptor quality are to be assessed in the water resources chapter and assessments.</p>

ID	Ref	Description	Inspectorate's comments
382	ES Figures	Consistency of data representation between ES chapters	The Inspectorate notes that where baseline data is relevant to multiple chapters, in particular for Chapter 12 (ground conditions) and Chapter 19 (water resources and flood risk), the Scoping Report is not consistent in its presentation, for example using different colours or icons to represent the same data. The ES should, where possible, present data in a consistent manner to aid the reader.



### 3.9 Human health

(Scoping Report Section 13)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
39.1	Section 13.9 and Table 13.4	Standalone chapter for human health - all project phases	<p>The Scoping Report proposes to scope out a standalone human health assessment on the basis that the Proposed Development has limited potential for significant effects to occur and any amenity, accessibility and active travel effects will be assessed in other aspect chapters.</p> <p>The Inspectorate agrees that a standalone chapter is not required, provided that effects on human health (including impacts on mental health and wellbeing) are considered within other aspect chapters where relevant.</p> <p>The EIA Methodology ES Chapter should provide clear cross-referencing to where the relevant direct and indirect impacts on human health are considered in the ES. Where human health impacts have been assessed in the ES, consideration should be given to relevant guidance such as the IEMA 2022 guidance 'Determining Significance For Human Health In Environmental Impact Assessment'.</p> <p>The Applicant's attention is drawn to the comments from North Yorkshire Council at Appendix 2 of this Opinion regarding the assessment of health effects.</p>

ID	Ref	Description	Inspectorate's comments
39.2		n/a	n/a

### 3.10 Landscape and visual

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 14.12 and Para 14.9	<p>Impacts on the following receptors – all project phases.</p> <p>Landscape Character Areas (LCA):</p> <p>LCA6 (Derwent Valley)</p> <p>LCA10 (East Selby Farmland)</p> <p>Landscape Character Type (LCT):</p> <p>LCT28 (Vale Farmland with Plantation Woodland and Heathland)</p>	<p>Paragraph 14.9 of the Scoping Report states that these receptors are located approximately 2.5 to 3km from the draft Order Limits and the Zone of Theoretical Visibility (ZTV) indicates there would be very little to no visibility of the Proposed Development.</p> <p>The Inspectorate agrees that impacts on these receptors are not likely to result in significant effects and can be scoped out of further assessment.</p>
3.10.2	Table 14.12	<p>Impacts on the following receptors – construction and decommissioning phase:</p> <p>LCA8 (West Selby Limestone Ridge)</p> <p>LCA14 (Hambleton Sandstone Ridge)</p>	<p>Table 14.12 of the Scoping Report states that based on the distance from the Proposed Development and minimal intervisibility indicated by the ZTV, there will be no likely significant effects on these receptors during construction and decommissioning.</p> <p>The Inspectorate agrees that impacts on these receptors are not likely to result in significant effects and can be scoped out of further assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		LCA15 (Camblesforth Farmland) LCA16 (Eggborough)	
3.103	Table 14.12	Impacts on Howardian Hill National Landscape – all project phases	On the basis that this National Landscape is located approximately 20km from the draft Order Limits, the Inspectorate agrees that significant effects are unlikely. This receptor can be scoped out of the ES for all phases of the Proposed Development.
3.104	Table 14.12	Assessment of private views (a residential visual amenity assessment (RVAA)) – all project phases	<p>Table 14.12 of the Scoping Report states that views from houses and individual properties are a matter of private amenity and are therefore not included in the LVIA in accordance with LITGN-2024-01 and GLVIA3. The Inspectorate understands that in this guidance the requirement for an RVAA is generally dependent on the outcome of a Landscape and Visual Impact Assessment (LVIA). In the absence of LVIA conclusions, the Inspectorate does not agree to scope out an RVAA at this time. The need for an RVAA should be justified based on the conclusions of the LVIA presented in the ES and agreed with consultation bodies, where possible.</p> <p>The Applicant's attention is drawn to the consultation response from North Yorkshire Council on this matter (see Appendix 2 of this Scoping Opinion).</p>

ID	Ref	Description	Inspectorate's comments
3.105	Para 2.4.2.24 and 14.3.2.2	ZTVs	<p>The Scoping Report states that the preliminary ZTVs were based on the Scheme at 4.5m above ground level and that further ZTVs will be provided for ancillary buildings and structures once locations have been established. Section 2.4.2.24 of the Scoping Report states that the anticipated maximum height of equipment within the substations is 15m. Consequently, the ZTVs may not be representative of the full extent of visibility.</p> <p>In order to demonstrate that the full extent of the Proposed Development has been assessed, the ZTVs should be based on maximum design parameters to be permitted by</p>

ID	Ref	Description	Inspectorate's comments
			the DCO. The ES should clearly evidence and justify the final extent of the ZTVs and ensure that any assessment of significance is based on this maximum extent.
3.106	Table 14.6	Preliminary landscape baseline	The applicant's attention is drawn to the comments from the Canal and River Trust requesting that canal and river users should be included as sensitive receptors with respect to sites 3, 4 and 5 given the potential for visibility of the Proposed Development from the canal and river network towards these sites.

### 3.11 Major accidents and disasters

(Scoping Report Section 15)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.11.1	Section 15.8 and Table 15.4	Standalone chapter for Major Accidents and Disasters	<p>The Inspectorate notes that potential risks arising during all phases of the Proposed Development are to be considered through other aspect chapters (eg Traffic and Transportation, Glint and Glare, Climate Change and Water Resources and Flood Risk).</p> <p>The Inspectorate is content with this approach. However, the ES should clearly signpost where these risks are assessed in other chapters and where any relevant mitigation measures are secured, if required.</p>

ID	Ref	Description	Inspectorate's comments
3.11.2	Para 15.7.1.2	Safety risks to the SRN from the BESS	<p>The Scoping Report states that a Battery Fire Safety Management Plan (BFSMP) will be a requirement of the DCO and will contain measures to reduce the risk of electrical fires and explosions.</p> <p>The applicant's attention is drawn to the comments from National Highways at Appendix 2 of this Opinion regarding the assessment of potential impacts on the SRN (particularly the A63) in the event of a fire at the BESS, and the requirement for a Safety Risk Assessment (SRA) in accordance with standard GG104 of DRMB.</p>

### 3.12 Noise and vibration

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Table 16.5	Traffic noise – routine operational activities (except during replacement of solar PV modules and batteries)	The Scoping Report proposes to scope out an assessment of noise impacts from operational traffic on the basis that minimal road traffic movements (5 per month) would occur during operation. On this basis, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.
3.122	Table 16.5	Traffic vibration – all project phases	<p>The Scoping Report states that construction and operation traffic vibration would be minimal in terms of impacts on people and risk of damage to buildings or other structures. Subject to confirmation within the ES that construction traffic would not pass in proximity to large numbers of properties or any heritage receptors, the Inspectorate agrees this matter can be scoped out. Should the final traffic routes pass in proximity to large numbers of properties or heritage receptors, the ES should provide an assessment of effects from construction traffic vibration.</p> <p>The Inspectorate is content that minimal road traffic movements would occur during operation and that significant effects associated with traffic vibration are unlikely. On this basis, this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.</p>
3.123	Table 16.5	Vibration from stationary sources and routine maintenance - operation	The Scoping Report states that vibration impacts from operational stationary sources are unlikely to generate significant levels of vibration at the Proposed Development. The Inspectorate agrees that significant effects are not likely and this matter can be scoped out of the ES. However, the detailed description of the Proposed Development within the ES should demonstrate that operational plant and equipment (eg substations, battery storage

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			infrastructure, and tracker panel mechanisms) is of a type and to be used in locations that would be unlikely to result in significant vibration effects on sensitive receptors.

ID	Ref	Description	Inspectorate's comments
3.124	Para 16.5.3.3 and Table 16.4	Noise Sensitive Receptors	The Scoping Report states that noise receptors will be defined within the PEIR and ES in consultation with the relevant local authorities. The ES should explain how receptors have been identified and provide a figure showing their location.

### 3.13 Socioeconomics

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.131	Para 17.9.2.2 , 17.8.1.4 and 17.9.3.3	Access to local businesses and community and recreational facilities - all project phases	<p>The Scoping Report notes that the Proposed Development will include embedded mitigation to ensure access to local businesses and community and recreational facilities is maintained at all times during construction. The Scoping Report notes that no operational effects are likely and therefore proposes to scope out access to local businesses and community and recreational facilities during construction and operation.</p> <p>Whilst the Inspectorate considers that significant effects during construction are unlikely, the ES should confirm how minimising the effects has resulted in no significant effects. The Inspectorate agrees that providing such confirmation can be provided, this matter can be scoped out.</p>
3.132	Para 17.9.2.4	Impacts to tourist attractions - construction	<p>The Scoping Report identifies that the Proposed Development is not in close proximity to tourist sites and is unlikely to result in significant effects.</p> <p>The Inspectorate agrees that impacts to tourist attractions can be scoped out.</p>
3.133	Para 17.9.2.6 and 17.9.3.6	Development land allocations – all project phases	<p>The Scoping Report identifies a number of development land allocations, including Open Space and Mineral Safeguarding Zone(s) within the study area and identifies impacts on farm businesses within Chapter 5: Agricultural land and soils. The Scoping Report notes that potential effects are likely to be indirect and can be managed and mitigated through the committed management plans. Therefore, the Applicant proposes to scope in direct impacts on development land allocations during construction and scope out indirect effects.</p> <p>The Inspectorate agrees that indirect impacts on development land allocations can be scoped out. The ES should ensure however that sufficient cross referencing with other aspect chapters is provided to ensure a robust assessment.</p>



ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.134	Para 17.9.2.7 and 17.9.3.8	Amenity effects – all project phases	<p>The Scoping Report explains that any amenity effects during construction and operation would be sufficiently dealt with by other assessment chapters (noise, visual and traffic and transport effects) and mitigated through the proposed management plans.</p> <p>The Inspectorate is content to scope this out for all project phases providing that the ES clearly demonstrates these cross references for all phases to ensure a robust assessment.</p>
3.135	Para 17.9.3.2	Employment opportunities - operation	<p>The Scoping Report notes that no significant effects on employment opportunities are anticipated during operation. The Inspectorate agrees that significant effects are unlikely, and this matter can be scoped out.</p>
3.136	Para 17.9.3.4 and 17.9.3.5	Access to public rights of way (PRoW) and recreational resources - operation	<p>The Scoping Report explains that potential effects on PRoW and recreational resources such as diversions would be considered during the construction phase and would not be considered further as part of the operational assessment. However, the Scoping Report states that changes to the character of PRoWs during operation will be considered.</p> <p>The Inspectorate is content with the approach of assessing the impact during the phase within which the impact first arises. However, the Applicant should ensure that the ES clearly identifies any such impacts (i.e. diversions or closures) that would last beyond the construction phase. The Applicant should ensure that assessing such impacts solely during the construction phase does not underplay the potential duration and consequently, the significance of effect.</p>
3.137	Para 17.9.4.1	Decommissioning	<p>Paragraph 17.9.4.1 states that the potential effects of decommissioning would be similar to or less than those identified during construction and proposes that the scope is the same as for construction.</p> <p>The Inspectorate agrees with this approach. The ES should clearly describe the methodology used for each phase of the development.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.138	Para 17.9.3.7 and 17.7.2.3	Impacts to tourist accommodation - operation	The Scoping Report states that staff numbers during operation of the Proposed Development would be minimal and will not require tourist accommodation. The Inspectorate agrees that this matter can be scoped out.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.139	Section 17.5.7 and 17.5.8	Baseline	For ease of understanding, the Inspectorate recommends that any static socio-economic receptors identified in sections 17.5.7 (local businesses) and 17.5.8 (community and recreational facilities) are mapped on figures within the ES.

### 3.14 Traffic and movement

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Table 18.6	Severance and driver and pedestrian delay– operation and decommissioning	<p>Scoping Report Table 18.6 states that operational traffic will be limited to approximately five movements per month and therefore severance and driver and pedestrian delay impacts will be minimal. On this basis, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.</p> <p>Regarding decommissioning, given that likely significant effects have been identified for the construction phase, the Inspectorate does not agree that decommissioning can be scoped out at this stage. The ES should provide information on traffic and transport impacts during decommissioning based on reasonable assumptions where likely significant effects may occur. If the ES can demonstrate that decommissioning vehicle movements would not exceed the assessment thresholds set out in IEMA Guidelines for the Environmental Assessment of Traffic and Movement (2003), the Inspectorate is content that this matter can be scoped out.</p>
3.14.2	Table 18.6, Para 18.8.1.14	Pedestrian and cyclist amenity – all project phases	<p>The Scoping Report proposes to scope out pedestrian and cyclist amenity on the basis that changes in traffic flows are expected to be low, and limited footway provision currently exists along carriageways in the vicinity of the Proposed Development.</p> <p>Subject to confirmation that increases in traffic flows on roads used by pedestrians and cyclists will not exceed the assessment thresholds set out in IEMA Guidelines for the Environmental Assessment of Traffic and Movement (2003), the Inspectorate is content that this matter can be scoped out.</p> <p>The Scoping Report proposes that the assessment of impacts on PRow will be set out in the Socioeconomics chapter of the ES. The Inspectorate is content with this approach.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.143	Table 18.6, Para 18.4.1.9 and 18.8.1.18	Fear and intimidation and accidents and safety - all project phases	<p>The Scoping Report proposes to scope out these matters on the basis that receptor sensitivity within the study area will generally be low as there are residential areas and public land uses, and the roads have few direct frontage accesses and are expected to have capacity to accommodate change.</p> <p>The Inspectorate agrees that the increase in traffic movements is likely to be below a level at which significant effects on fear and intimidation and accidents and safety would occur. However, further information is required on access points, routing and any measures being put in place which may alter the flow of traffic during the construction period specifically. Therefore, at present, this matter cannot be scoped out of the assessment.</p>
3.144	Table 18.6 and Para 18.6.1.7	Hazardous loads / large loads – all project phases	<p>On the basis that hazardous / large loads would not be required, the Inspectorate agrees that these matters can be scoped out of the ES.</p> <p>However, the Scoping Report identifies the need for Abnormal Indivisible Loads (AILs) during construction. The Inspectorate does not agree this matter can be scoped out at this stage. The ES should assess the potential for increased congestion and increased journey times/distance to road users due to road closures or diversions required for AILs during construction, taking into account the rural nature of some of the access roads. The Applicant's attention is drawn to the comments made by National Highways in Appendix 2 of this Opinion regarding the need to consider AILs in the EIA and consult with the National Highway Abnormal Indivisible Loads Team to discuss any matters pertaining to AIL movements.</p>

ID	Ref	Description	Inspectorate's comments
3.145	Para 2.6.3.1, 18.4.1.10	Access routes	<p>As part of the description of the Proposed Development, the ES should describe the proposed site entrance(s) and the routes to be used for all vehicular access during construction and operation of the Proposed Development and this information should be clearly presented on supporting plans within the ES. The ES should describe and assess</p>

ID	Ref	Description	Inspectorate's comments
	and 18.4.1.11		the potential LSE associated with any improvements / changes to the access routes which are either required to facilitate construction of the Proposed Development or are required for restoration purposes on completion of the works. For the assessment of impacts during construction, the ES should explain how the proposed access route(s) relate to sensitive receptors.
3.146	Para 18.6.1.4	Construction traffic assumptions	Paragraph 18.6.1.4 of the Scoping Report states that "trip generation during the construction phase will be calculated based on data from other similar sized solar developments". The overall parameters of the solar developments from which this data has been derived should be presented in the ES in order to justify this approach.
3.147	Para 18.7.3.2	Transport Assessment	Paragraph 18.7.3.2 of the Scoping Report states that a Transport Assessment is not likely to be required. The applicant's attention is drawn to the consultation response from National Highways in Appendix 2 of this Opinion which requests that the DCO is supported by a Transport Assessment to assess the effects of the anticipated traffic on the Strategic Road Network (SRN). The Applicant is advised to further discuss this matter with National Highways to seek agreement on the level of information required.

### 3.15 Water resources and flood risk

(Scoping Report Section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.152	Section 19.4	Study Area	The Scoping Opinion is inconsistent in its approach to the study area. In general, it is stated as 1km around the current scoping boundary, however some receptors have baseline data over a 5km area. The ES should either present a consistent study area, or where specific receptors require an extension of this, a clear description and reasoning for the extended study area.
3.153	Para 19.7.1.3	Sequential and Exception test	In relation to the requirement for the Proposed Development to pass the sequential and exception tests, the Applicant is advised that the ES and / or accompanying Flood Risk Assessment should be able to differentiate between the extents of Flood Zone 3a and 3b, and if relied on as part of the exception test, demonstrate no net loss of floodplain storage.
3.154	Section 19.11.2	Water Environment Regulations (WER) Assessment	The Inspectorate notes that comments on the WER assessment are outside of the scoping process, and as such advises the Applicant to agree the scope of the assessment with the relevant consultees.
3.155	Section 19.11.4	National Highways (Highways England) Water Assessment Tool	The Inspectorate is unclear as to why this is being proposed as part of the ES for the Proposed Development, as it is not a road scheme and there is no evidence that the Proposed Development is near to a road which has 10,000 vehicle AADT. The ES should explain the proposed use of this tool.

ID	Ref	Description	Inspectorate's comments
3.156	Throughout	Surface Water Baseline Information	<p>The Scoping Report provides an inconsistent description of the baseline environment, including the following:</p> <ul style="list-style-type: none"> <li>• Paragraph 19.5.5.2 states that there is one main River in the 1km study area (River Aire), but also that this River is outside of the study area, and then names several main rivers in Table 19-4 which are represented on Figure 19.1 for the cable corridor area.</li> <li>• Paragraph 19.5.7.3 states that there are no artificial waterbodies in the study area, however canals are referred to in Table 19-4, and represented specifically as Water Framework Directive bodies on Figure 19.5, including within the scoping boundary.</li> </ul> <p>The ES must ensure a consistent and accurate description of the baseline environment between the provided text and accompanying figures.</p>

### 3.16 Cumulative and in-combination effects

(Scoping Report Section 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.162		n/a	n/a



## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES**

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Secretary of State for Defence	Ministry of Defence
The relevant parish council	Saxton with Scarthingwell Parish Council
	Sherburn in Elmet Parish Council
	Cawood Parish Council
	Selby Parish Council
	Cliffe Parish Council
	North Duffield Parish Council
	Brotherton Parish Council
	Beal Parish Council
	Kellington Parish Council
	Eggborough Parish Council
	Temple Hirst Parish Council
	Carlton Parish Council
	Hillam Parish Council
	Birkin Parish Council
	Gateforth Parish Council
Monk Fryston Parish Council	
South Milford Parish Council	

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Barkston Ash Parish Council
	Hambleton Parish Council
	Church Fenton Parish Council
	Ulleskelf Parish Council
	Ryther cum Ossendyke Parish Council
	Bolton Percy Parish Council
	Appleton Roebuck and Acaster Selby Parish Council
	Burn Parish Council
	Barlow Parish Council
	Brayton Parish Council
	Wistow Parish Council
	Barlby with Osgodby Parish Council
	Kelfield Parish Council
	Riccall Parish Council
	Skipwith Parish Council
	Stillingfleet Parish Council
	Escrick Parish Council
	Thorganby Parish Council
	Byram cum Sutton Parish Council
	West Haddlesey Parish Council
	Hensall Parish Council
	Chapel Haddlesey Parish Council
	Hirst Courtney Parish Council
	Fairburn Parish Council

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Huddleston with Newthorpe Parish Council
	Burton Salmon Parish Council
	Thorpe Willoughby Parish Council
	Little Fenton Parish Council
	Biggin Parish Council
	Towton; Grimston and Kirkby Wharfe with North Milford Parish Council
	Ledsham Parish Council
	Micklefield Parish Council
	Lotherton cum Aberford Parish Council
	Ellerton and Aughton Parish Council
	East Cottingwith Parish Council
	Wheldrake Parish Council
	Deighton Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	Yorkshire & North East
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The relevant internal drainage board	Ouse and Derwent Internal Drainage Board
	Black Drain Drainage Board
	Selby Area Internal Drainage Board
	Ainsty Internal Drainage Board
	Foss Internal Drainage Board

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Ouse and Humber Internal Drainage Board
	Goole and Airmyn Internal Drainage Board
	Rawcliffe Internal Drainage Board
	Cowick and Snaith Internal Drainage Board
	Thorntree Internal Drainage Board
	Danvm Drainage Commissioners
The Canal and River Trust	The Canal and River Trust
The relevant Highways Authority	North Yorkshire Council
	City of York Council
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
NHS England	NHS England
Relevant statutory undertakers	See Table 2 below
The Mining Remediation Authority	The Mining Remediation Authority
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	West Yorkshire Combined Authority
	Humberside Police and Crime Commissioner

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	North Yorkshire Combined Authority
The relevant ambulance service	Yorkshire Ambulance Service NHS Trust
The relevant fire and rescue authority	North Yorkshire Fire and Rescue Service
	South Yorkshire Fire and Rescue Service
	West Yorkshire Fire and Rescue Service
	Humberside Fire and Rescue Service

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS**

‘Statutory Undertaker’ is defined in the APFP Regulations (as amended) as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
	NHS South Yorkshire Integrated Care Board
	NHS West Yorkshire Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	Yorkshire and the Humber Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Civil Aviation Authority	Civil Aviation Authority

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
Inovyn Enterprises Ltd	
Last Mile Gas Ltd	

STATUTORY UNDERTAKER	ORGANISATION
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Works
	National Gas Transmission
The relevant electricity generator with CPO Powers	Drax Power Limited
	Eggborough Power Limited
	Knottingley Power Limited
	OnPath Renewables
	Sse Ferrybridge Battery Ltd
The relevant electricity distributor with CPO Powers	Northern Powergrid (Yorkshire) plc
	Advanced Electricity Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Green Generation Energy Networks Cymru Ltd
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity System Operation Limited
	National Grid Electricity Transmission Plc

**TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008**

LOCAL AUTHORITY
Lancaster CityCouncil
Pendle Borough Council
Ribble Valley Borough Council
Lancashire County Council
Yorkshire Dales National Park Authroity
North York Moors National Park Authority
City of York Council
City of Doncaster Council
Wakefield MetroplitanDistrict Council
Bradford Metroplitan District Council
Westmorland and Furness



<b>LOCAL AUTHORITY</b>
North Yorkshire Council
Durham County Council
Darlington Borough Council
East Riding of Yorkshire Council
Middlesbrough Borough Council
Leeds City Council
Redcar and Cleveland Borough Council
Stockton-on-Tees Borough Council

## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Canal and River Trust
Chapel Haddlesey Parish Council
The Coal Authority
Durham County Council
Eggborough Parish Council
Escrick Parish Council
Environment Agency
Fulcrum Pipelines Limited
Goole and Airmyn Internal Drainage Board
Health and Safety Executive
Hirst Courtney and West Bank Parish Council
Historic England
Lancaster District Council
Ministry of Defence
National Gas Transmission
National Highways
NATS En-Route Safeguarding
Natural England
North Duffield Parish Council
North Yorkshire Council
North Yorkshire Fire and Rescue Service
Northern Gas Networks Limited

Ouse and Derwent Internal Drainage Board
Pendle Borough Council
Redcar and Cleveland Borough Council
Skipwith Parish Council
South Yorkshire Fire and Rescue Service
The Forestry Commission Yorkshire & North East
United Kingdom Health Security Agency
Wakefield Metropolitan District Council



**Canal &  
River Trust**

Making life better by water

PINS Ref EN0110012

Our Ref IPP-250

Monday 02 December 2024

BY EMAIL ONLY [lightvalleysolar@planninginspectorate.gov.uk](mailto:lightvalleysolar@planninginspectorate.gov.uk)

**EN0110012 Light Valley Solar. EIA Scoping Notification and Consultation. Comments from the Canal & River Trust.**

Thank you for the above consultation on the Light Valley Solar Project.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The Trust are Landowner and Navigation Authority for the Selby Canal. We are also Navigation Authority for the River Ouse and parts of the River Aire. The canal and the River Ouse are included within the development boundary of the project. Due to the nature of the need for cable connections, we understand that a crossing of the Selby Canal and the River Ouse is proposed. The proposals also seek to construct new solar farms and associated substations in close proximity to the River Aire, with Site 4 including areas close to the north bank of the river where we are Navigation Authority. Although Site 5 is also in proximity to the river, the Trust has no responsibilities for the stretch of river adjacent to this site.

We wish to make the following comments on the proposals

### **Biodiversity, Ecology and Habitats (Chapter 7)**

Our waterways provide a potential habitat for waterborne species, potentially including amphibians, mammals (including otter), fish and waterborne plants. We understand that the Environmental Report will be supported with a study of biodiversity and habitats, and that the canal and rivers is included in the study boundary. Table 7.4 suggests that impacts on waterbodies will be scoped into the report, and table 7.8 suggests that impacts on waterbodies during the construction, operation and decommissioning phases will be scaped in.

Directional drilling is proposed under the Selby Canal and the River Ouse. We wish to highlight that directional drilling can still cause sediment discharges and problems arising from mud toxicity due to vibration below the watercourse. This is not referred to in chapter 7 of the Scoping Report. **We believe the impact should be**

### **Canal & River Trust**

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included within the Environmental Report and scoped in, with consideration given to the provision of field studies into invertebrates and fish species found in the water to assess the sensitivity of these species to potential sediment movement.

There is potential for artificial lighting to be utilised on site, especially during the construction phases. We request that the impact of this on waterbodies and species that utilise waterway habitats (including bats) should be considered in the Environmental Report. We note that paragraph 7.7.1.3 suggests that a sensitive lighting plan covering construction and operational lighting to ensure lighting of suitable bat commuting, foraging and roosting habitats and otter/water vole habitat is minimised will be provided. We consider this approach to be suitable. Ideally, this should be used to help inform the Environmental Report.

## Cultural Heritage (Chapter 10)

Paragraph 10.5.3.7 identifies that both the River Aire and the Selby Canal form historic routeways. We note that the River Ouse is not directly referenced, and wish to highlight that, like the River Aire, has long been used for transportation and it cannot be ruled out that Medieval sites close to the River exist.

Regarding table 10.5, which seeks to identify designated assets within 500m of the cable corridor, SE-008-002 Paper House Bridge (grade II listed) and SE-009-002 Tankards Bridge (grade II listed) are structures that will lie in proximity to the proposed cable crossing of the Selby Canal. We assume these are covered as part of the 26 grade II assets identified in the Table. We request that, due to the proximity of these to the cable route, specific impacts upon these assets should be specifically referenced in the Environmental Report.

**Whilst paragraph 10.6.1 covers potential impacts during the construction phase, we request that vibrations from HDD drilling activities should be referenced and assessed within the report.** This is pertinent due to the proximity of works to the grade II listed assets (and the waterway) referenced above.

## Ground Conditions (Chapter 12)

The proposals involve land in close proximity to watercourses, including the River Aire, Ouse and the Selby Canal. We request that any disturbance of land here should seek to avoid pollution to the water environment of these waterways which could be caused through unintentional runoff from exposed soils, or dust.

Paragraphs 12.6.1 to 12.6.4 of the scoping report highlight the likely effects of development. These include risks from topsoil disturbance during the construction phase, the release of dust and/or release asbestos fibres, and the disturbance of made or infilled ground may also cause an increase in the leaching and mobilisation of contamination, along new or existing surface or sub-surface pathways.

In relation to mitigation measures, whilst we have no significant issue with the details identified in section 12.7, we believe that, **as a minimum, exploratory trial pitting should be undertaken to discount risks from imported/artificial ground, or to identify specific mitigation measures, within the Cable Corridor Areas.** This is pertinent as published BGS data shows areas of made/artificial ground to be locally present within the Cable Corridor Options Area, and works could expose contamination associated with this to the wider environment.

A CEMP could offer an appropriate measure to address risks to the canal. We advise that dust prevention measures, and specific measures (such as trenches or hoarding) should be incorporated to reduce the risk of pollution towards the canal. Whilst we have no specific objection to scoping out risks to surface water bodies based on the provision of future CEMP documentation (as suggested by paragraph 12.8.1.3), we request that **this should be informed by exploratory trial pitting discussed above, and that the use of exploratory trial pitting**

## Canal & River Trust

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should be specifically referenced in the Environmental Statement so as to ensure such works are undertaken to inform a future CEMP.

## Landscape and Visual Effects (Chapter 14)

The submitted Zone of Theoretical Visibility (ZTV) suggests that the solar farm scheme will be visible from several parts of the waterway network, notably including the River Aire next to site 4 and also from the Selby Canal.

Our waterway network is utilised by several users including walkers and cyclists upon our towpath network (this is especially the case along the Selby Canal, where visitor car parks encourage recreational use of the towpath) in addition to boaters. We consider that all canal and river users should be listed within table 14-6 with respect to sites 3, 4 and 5 given the potential for visibility from our network towards these sites.

We note that Viewpoint 24 is proposed next to the River Aire. This may assist the LVIA in allowing the examining authority to assess the impact of the works on users of the River at this location. The viewpoint is described as “Marsh Lane south west of West Haddlesey”, and we suggest that the promoter should ensure that the viewpoint is taken to enable an understanding to be made with respect to impacts from the river itself. Should this not be possible, then a new viewpoint from the river should be included.

Given the context of use of the Selby Canal by recreational users, in addition to the presence of listed structures along the canal, we believe that the Environmental Report should consider the visibility of the scheme from the canal. 14.5.6.2 suggests that the open landscape could make the visibility of the site more extensive, and we believe that impacts on the Selby Canal do need to be fully understood. Should the Environmental Report suggest that there is a potential impact to the setting of the canal, then we would recommend that a Viewpoint assessment is taken from this waterway.

Paragraph 14.7.4 identifies visual impacts of the proposals. Impacts of glint and glare are considered. We wish to highlight that river users are especially vulnerable to glint and glare impacts, as they transverse the water at a slow pace, and need good sight in order to navigate. **We therefore request that the Environmental Report should specifically assess for glint and glare impacts for boaters.**

## Water Resources and Flood Risk

The Trust would wish to understand any changes sought with respect to water flows from the development site into navigable waterways. This would be so that any impact of any additional runoff on navigation can be fully assessed.

19.11.3.6 states that a drainage plan will be provided. We request that any impact on existing outfalls, or creation of new outfalls, to the River Ouse, Aire or Selby Canal should be identified within these drawings. **It would be useful if the Environmental Report assessed for any impact to the peak velocity and volume of any new or amended outfall, so that an assessment can be made with respect to the impact of these on passing craft.**

## Other Comments

### General Comment on the Routing of the Cables

The submitted documents indicate that new cables will be sited underground. The Trust generally welcomes this approach, as it would help to minimise any impact on the visual appearance of our waterway corridors. It would

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also minimise any potential harm to navigation that could be caused through the positioning of cables above navigable channels.

Should the scheme be amended to incorporate above ground cable crossing(s) of out waterway(s) then we advise that the Environmental Report would need to assess the visual impacts of the cables, and how they would be assessed and impacts mitigated against. In addition, consideration would need to be given to the potential impact on Navigation on the canal and the headroom available for craft below.

### Risks of Vibration

Works to install cables below the canal and river Ouse would need to be carefully managed to avoid any significant vibration or loading that could adversely impact the stability of the canal or river structure above.

We request that methodology and associated risk mitigation details should be submitted prior to the commencement of development on site. We advise that we do not believe this information need to be incorporated into the EIA. However, we would request that the need for this is addressed in any subsequent submission.

### Landowner Comments

Our consent as Navigation Authority and Landowner may be required for the installation of new cables across/below our waterways.

Please note that the Canal & River Trust is a statutory undertaker which has specific duties to protect the waterways. **Accordingly, it is likely that we will resist the use of compulsory powers which may affect our undertakings. Accordingly, we require that the acquisition of any rights over the canal should be secured by agreement.**

Landowner consent would be required from the Trust for the installation of a new cable below the canal. **The applicant is advised to contact the Trust's Utilities section at [utilitiesenquiry@canalrivertrust.org.uk](mailto:utilitiesenquiry@canalrivertrust.org.uk) for further advice.**

The proposals include works in close proximity to and crossing the canal. In our capacity as landowner, we wish to advise that the applicant/landowner would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust'. **The applicant/developer is advised to contact the Canal & River Trust's Works Engineering Team via switchboard on 0303 040 4040 should they have any questions or require further information upon the Code.**

### Protective Provisions

The Trust have a range of standard Protective Provisions that we would likely request are incorporated into any Future Development Consent Order. These would be consistent with other solar schemes with cable corridors affecting our network. These are designed to ensure for the protection of our waterways, and also can provide more certainty for the promotor during the creation of the Development Consent Order. **The Trust would be happy to share our standard provisions with the promotor. Should this be of interest to the promotor, they would be welcome to contact me on the details below.**

### Canal & River Trust

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We hope the above comments are of use. If you have any questions or require further information, please feel free to contact me via the contact details below.

Yours Sincerely

**Simon Tucker MRTPI**  
Area Planner

@canalrivertrust.org.uk

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

## **Canal & River Trust**

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**From:** [Philip Brunyard](#)  
**To:** [Light Valley Solar](#)  
**Subject:** Re: EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 07 December 2024 11:12:58  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image003.png](#)

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Dear Deb Glassop,

At a recent meeting of Chapel Haddlesey Parish Council the proposed Light Valley Solar development was discussed and we feel that the loss of food production from the land used should be addressed in the ES together with the loss of visual amenity for the nearby households.

Regards,  
Philip Brunyard  
Clerk/Chairman  
Chapel Haddlesey Parish Council

On Mon, Nov 11, 2024 at 2:07 PM Light Valley Solar  
<[lightvalleysolar@planninginspectorate.gov.uk](mailto:lightvalleysolar@planninginspectorate.gov.uk)> wrote:

Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop** | EIA Advisor

The Planning Inspectorate



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The Coal  
Authority

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W: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

**For the attention of: Ms D Glassop – EIA Advisor**

Environmental Services – Planning Inspectorate

4<sup>th</sup> December 2024

Dear Ms Glassop

**Re: EN0110012 - Light Valley Solar Scoping Opinion, Selby, North Yorkshire**

Thank you for your notification of the 11th November 2024 seeking the views of the Coal Authority on the above.

From the 28<sup>th</sup> November 2024 the Coal Authority will operate under the ‘trading name’ of the Mining Remediation Authority, to better reflect the wider work we do as an organisation. The Coal Authority still remains the legal name of the Authority and will remain as such in statute until legislative changes have been made. Our remit as a statutory consultee remains unchanged. The branding and reference made to the Coal Authority in our statutory responses will also remain unchanged at the current time.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that within the area of the proposed solar project there are several mine entries. Two are located to the west of the village of Wistow and are identified on the ordnance survey map base as Wistow Mine. A further two of these features are recorded to the east of Riccall and are identified on the ordnance survey map base as Riccall Mine.

These features are identified within Figure 12.4 Coal Mining Records – of the EIA Scoping Report submitted, dated November 2024. It is noted however that these features lie on the edge of the Study Area (250m buffer) identified and not within the area of the Solar Development Sites or Cable Corridors, shown on the plan. We note that Section 12.5.3.63-12.5.3.65 of the Scoping Report identifies that there is no defined Development High Risk Area associated with past coal mining

activity within 250m of the area under consideration. Based on this the authors of this Report conclude that the risk of ground instability due to former coal mining to the proposed development is very low. On the basis of our records we would raise no objections to this conclusion.

We are satisfied that the Scoping Report has given appropriate consideration to the potential risks posed by past coal mining activity to the proposed development.

Please do not hesitate to contact me should you wish to discuss this further.

Yours sincerely



**Melanie Lindsley** *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*  
**Principal Planning & Development Manager**



## Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.

*In formulating this response the Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development the Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisors for this development in relation to ground conditions and the acceptability of development.*

**From:** [Claire Teasdale](#)  
**To:** [Light Valley Solar](#)  
**Subject:** Light Valley Solar - Scoping Opinion  
**Date:** 14 November 2024 17:26:54  
**Attachments:** [DCC Response to Scoping Opinion - Light Valley Solar.pdf](#)

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Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Please see attached response to your letter dated 11 November 2024 regarding the above.

**Claire Teasdale**

**Principal Planning Officer (Strategic Team)**

Planning Development Management  
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Contact: Claire Teasdale  
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email: [REDACTED]@durham.gov.uk  
Your ref:  
Our ref: AACON/24/02457



lightvalleysolar@planning inspectorate.gov.uk

14 November 2024

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your letter dated 11 November 2024 regarding the above.

I am writing to inform you that Durham County Council has no comments to make.

Yours faithfully

[REDACTED]

Claire Teasdale  
Principal Planning Officer

**Regeneration, Economy and Growth**

Durham County Council, Planning Development (Strategic), PO BOX 274, Stanley, Co. Durham,  
DH8 1HG Main Telephone: 03000 262 830

**From:** [clerk@eggboroughparish.org.uk](mailto:clerk@eggboroughparish.org.uk)  
**To:** [Light Valley Solar](#)  
**Subject:** Your Ref EN0110012  
**Date:** 09 December 2024 16:56:05

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Dear Sirs

**Ref: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development)**

I am writing on behalf of Eggborough Parish Council to object to the above proposed development.

The proposed development is taking over a vast amount of prime agricultural and food producing land as well as having a devastating effect on the landscape.

This land is needed for food production so that this Country can continue to be self sufficient and not reliant on imports in such uncertain times.

Yours Faithfully

Carole Dobbing  
Eggborough Parish Clerk





Deb Glassop  
Planning Inspectorate  
Temple Quay House (2 The Square)  
Temple Quay  
Bristol  
Avon  
BS1 6PN

**Our ref:** XA/2024/100202/01-L01  
**Your ref:** EN0110012  
**Date:** 09 December 2024

Dear Deb Glassop

**Planning Act 2008 (as amended) and the Infrastructure Planning (environmental impact assessment) Regulations 2017 (the EIA regulations) – regulations 10 and 11 application by Light Valley Solar Limited) for an order granting development consent for Light Valley Solar (the proposed development)**

**Near Selby, North Yorkshire**

Thank you for the above consultation which was received on 11 November 2024. We have reviewed the following documents:

- Light Valley Solar EIA Scoping Report Main Text and Appendices (dated 05 November 2024)
- Light Valley Solar EIA Scoping Report Figures Part 1 of 2 (dated November 2024)
- Light Valley Solar EIA Scoping Report Figures Part 2 of 2 (dated November 2024)

We are somewhat satisfied with the proposed scope and content of the Environmental Statement (ES) for the Proposed Development, as set out in the Scoping Report. However, we have concerns regarding the scope in relation to fisheries and groundwater. Moreover, additional detail is required for other areas within our remit, for consideration as the proposals develop. Please see the appendices for our comments.

If you have any queries please do not hesitate to contact us.

Yours sincerely

**Mr Morgan Haringman**  
**Planning Specialist**

Direct e-mail [NITeam@environment-agency.gov.uk](mailto:NITeam@environment-agency.gov.uk)

Appendix 1: Detailed Comments

Appendix 2: Informatives

## **Appendix 1 – Detailed Comments**

### **Flood risk**

We are happy with the aspects that have been scoped in, this includes flood risk at all stages of development. Additionally, the applicant has scoped in the effects of climate change on the construction and decommissioning phases. However, they have scoped out climate change for the construction phase, which we accept, due to the development's temporary nature and being within the current epoch.

### **Flood zones**

The various sites proposed as part of this development have varying levels of flood risk. They are as follows:

- Site 1
  - Partly Flood Zone 3 fluvial
  - Partly Flood Zone 2 fluvial
  - Partly Flood Zone 1
- Site 2
  - Partly Flood Zone 3 fluvial
  - Partly Flood Zone 2 fluvial
  - Partly Flood Zone 1
- Site 3
  - Flood Zone 2 fluvial
- Site 4
  - Partly Flood Zone 3 fluvial
  - Partly Flood Zone 2 fluvial
- Site 5
  - Flood Zone 3 fluvial

Flood Zone 2 and 3 is land assessed as having between a 1 in 100 and 1 in 1,000 annual probability (1% - 0.1%) and land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%) in any given year. Flood Zone 1 is land defined as a less than 1 in 1,000 annual probability of river, or sea flooding (<0.1%), in any given year.

Where development is located within Flood Zone 3a and 3b (functional floodplain), essential infrastructure (such as power stations and sub stations) that has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- remain operational and safe for users in times of flood
- result in no net loss of floodplain storage
- not impede water flows and not increase flood risk elsewhere

In accordance with [National Planning Policy Framework](#) and the sequential test (paragraph 161), development should apply a sequential, risk-based approach to the

location of development, taking into account all sources of flood risk, and the current and future impact of climate change, to avoid (where possible) flood risk to people and property. The project should take a sequential approach where it can, if there are any opportunities for development to be located outside of flood zones 2 and 3 and into flood zone 1, this should be prioritised.

We are happy the applicant has committed to undertake a scoping Flood Risk Assessment (FRA) and then after consultation, a detailed FRA. However due to the interactions the cable crossings may have with Environment Agency assets (specifically embankment), the applicant will need to undertake surveying and an impact assessment on these defences.

The applicant will need Flood Risk Activity Permits for any works within 8m of a fluvial river/defence or 16m of a tidal river/defence. See **Informatives** for more details. Currently there is a 6-10week delay in allocation of permits to an officer due to a change in process moving from area to national.

Any above ground construction that is within the floodplain, and any increases in the footprint of the buildings will require floodplain compensation. The FRA needs to consider floodplain compensation on a level for level, volume for volume basis. With regards to floodplain compensation, we would usually consider the 1 in 100 year, plus allowance for climate change, flood height as the 'design flood'. The allowance for climate change may differ in river catchments. The FRA also needs to ensure that there is no increase in flood risk to third parties because of this development, for example by altering flood flow routes. Please find guidance here [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)

### Assets

The FRA, or a separate assessment, should include full details of all flood defences and associated assets within the study area. This should include their current condition, crest levels, and standard of protection. This will allow assessment of potential impacts to defences and any mitigation required, taking the development and climate change into account, to ensure that flood risk is not increased over the proposed development lifetime.

We would also like to highlight to the applicant that they will need to:

- Survey the pre-works and post-works condition of the assets they will be interacting with, and remediate any defects identified
- Monitoring vibrations and identifying safe levels which don't adversely affect assets

The Environment Agency is in the process of, and planning to, upgrade flood defenses in the area of the development sites. We therefore require the applicant to consider whether their development would compromise these proposed and in progress works.

Therefore, we require the applicant to contact us for further information on planned and in-progress flood defence works in the area.

### Battery Energy Storage System

In section 19.7.1.3 the applicant states “The BESS will be located outside of Flood Zone 3 to minimise loss of flood plain and associated adverse flood risk effects”. We appreciate this, however in order to not remove flood plain, we would recommend the applicant place the Battery Energy Storage System (BESS) outside of the 1 in 100 year+ allowance for climate change extent.

### **Flood modelling**

We have reviewed Chapter 19 Water Resources and Flood Risk.

A Flood Risk Assessment (FRA) will be produced as outlined in section 19.11.3.2; this is welcomed. During the construction phase, the impact of any materials, roads, or construction compounds in flood risk areas should be quantified and mitigated for.

Section 19.5.1.2 notes that existing hydraulic models within the study area have been requested. At the time of reviewing the EIA scoping report, key models of interest for the development area include:

- the Lower Aire model (JBA, 2017)
- the Upper Humber Study (JBA, 2016)
- the Lower Ouse and Wharfe Washlands study (Mott Macdonald, 2018)
- the Humber 2100+ Extreme Water Levels (HEWL) project (Jacobs, 2020)

Please note, it is important to check that any third-party hydraulic modelling you use is suitable for assessing site specific flood risk. Checks should be undertaken to ensure that any existing modelling which is used represents current baseline conditions, and uses the most appropriate and up to date fluvial and tidal boundary conditions (where applicable). Some of the modelling we hold uses climate change allowances which have now been superseded. Please check any modelling data you use in line with guidance on using modelling for FRAs available online at: [Using modelling for flood risk assessments - GOV.UK](#)

### Gauges

Gauges within 1km of the study area are presented within section 19.5.5.4 of the EIA scoping report. Please note there is also a level and flow gauge upstream on the River Aire at Beal, which may also be of interest.

### Tidal flood risk

Section 19.5.10.1 states that flood risk from all sources will be considered in the study area. For information, the tidal limit for the River Aire is close to Temple Hurst. Rising sea levels could influence the River Aire’s ability to discharge further downstream, which in turn could affect flood risk at the development site. Tidal flood risk needs to be considered as part of the FRA. The Humber 2100+ Extreme Water levels (HEWL) project (Jacobs, 2020) provides a useful reference for tidal water levels for the Humber,

lower Aire and Ouse, and should therefore be utilized. Downstream boundary conditions, within any hydraulic modelling for the River Aire and River Ouse, should consider the latest available design tidal water level information.

#### Climate change allowances

Section 19.5.11.8 describes how climate change allowances will be defined at the Preliminary Environmental Impact Report (PEIR) and Environmental Statement stage. Guidance on climate change allowances for FRAs can be found online at [Flood risk assessments: climate change allowances - GOV.UK](#). As the development would be classed as Essential Infrastructure (section 19.11.3.3), a higher central scenario should be applied to fluvial flows for the design scenario. An upper allowance should also be applied to fluvial flows as a sensitivity test, to understand the resilience of the site. As the operational phase of the development is proposed to be 60 years (section 2.7.1.1), the 2080s epoch should be considered as the period for climate change uplifts to fluvial flows. It is also important to note that the order limits of the development are close to the tidal limit of the River Aire, which is around Temple Hurst. The influence of sea level rise, because of climate change, should be established and presented within the FRA. For sea level rise, both the Higher Central and Upper climate change allowances should be applied. The impact of a credible maximum scenario on the development site should also be investigated. In the context of rising sea levels this would be the H++ scenario.

#### Modelling datasets

Section 19.9.1.7 states that flood risk will be assessed using existing data wherever possible. Where the scoping FRA identifies the potential for flood risk impacts, a more detailed FRA will be carried out with the potential to include hydraulic modelling, to be agreed with the Environment Agency. This is welcomed. Please note when using third party modelling datasets, it is important that you assess that they are suitable for your needs. Please consult the following guidance on using modelling for Flood Risk Assessment available online at: [Using modelling for flood risk assessments - GOV.UK](#)

#### Magnitude of impacts

Changes in peak flood levels of less than 10 millimetres are described as negligible within table 19-15 of the EIA scoping report. This is based on the magnitude as described within table 3.71, within the Design Manual for Roads and Bridges (DMRB). The classification presented within this table is at odds with the [National Planning Policy Framework](#), which details that there should be no increases to flood risk elsewhere because of new development. Any impacts to flood risk will need to be reviewed on a case-by-case basis, as the spatial extent of any increase is also an important consideration, not just the magnitude of any increase in peak water levels. Furthermore, considerations around modelling precision may also influence what is classed as an observable increase or impact, versus what might be attributable to model precision limitations and instability. There is a section on the impacts on off-site flood risk, within the guidance on undertaking modelling for FRAs which needs to be considered. This is available online at [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](#).

#### Residual flood risk

The impact of failure of raised flood embankments on the development should be assessed through breach modelling, particularly for site 4, which is near embankments on the River Aire. The Environment Agency's "breach of defences guidance LIT 56413" is a useful starting point regarding breach model parameters.

#### Quantifying the impact of the proposed development on flood risk

The impact of any loss of floodplain during the construction, operation, and decommissioning phases should be quantified and mitigated for. With regards to the loss of floodplain associated with solar panel supporting pillars, given the resolution of existing models of the River Aire and other watercourses, it may be challenging to explicitly represent the solar panel support frames. Alternative approaches such as the use of flow constriction layers, or using increased roughness values might be appropriate. Alternatively, a volumetric displacement analysis, calculating the volume of floodplain lost by solar panel pillars to the design flood level, might also be appropriate.

#### Birkin Holme Washlands

The southern part of site 4 falls within Birkin Holme washlands. The plan in figure 1.2 of the EIA scoping report suggests that this area is retained for environmental mitigation enhancement areas. Any proposals in this area must not affect the performance of the flood storage area. It is also important to note that flood depths in this location are significant in the design event.

#### BESS at Site 4

Site 4 lies within an area of flood risk associated with the River Aire, particularly when considering the 1% (1 in 100) annual exceedance probability scenario with climate change from existing modelling (Lower Aire, JBA 2017). The potential BESS as shown in figure 1.2 is at flood risk from the River Aire. Careful consideration needs to be given to the placement of sensitive infrastructure with respect to areas of flood risk. The impact on flood risk to third parties because of infrastructure should be quantified. Where there is a loss of floodplain storage and impacts to third parties, this should be mitigated for, typically through level for level and volume for volume floodplain compensation.

#### Smaller watercourses

Please note, there are several ordinary watercourses which cross the order limits for the development, which have no associated flood zone mapping due to the small size of their respective catchments. For example, site 2 is crossed by Fleet Dike and Causeway Dike. There may be flood risk associated with these watercourses, it is just not modelled or included in the flood zones. Furthermore, Site 3 is crossed by an unnamed ordinary watercourse which has no associated flood zone mapping. At site 4, whilst the dominant flood risk source in this location is largely the River Aire, the site is also bounded by the Fleet. This watercourse has no associated flood zone mapping. The flood risk from these watercourses, where they interact with the development during construction and operation, will need to be considered.

#### Model review

Any fluvial/tidal flood risk modelling which is developed to inform the baseline, future baseline, construction, and operational phases of the development should be reviewed by the Environment Agency. Given the complexity of the system which is being modelled and the various sources of flood risk, it is recommended that modelling methodologies are agreed with the Environment Agency, prior to undertaking detailed modelling work.

### **Groundwater and contaminated land**

We have reviewed the 'EIA Scoping Report' and provide the following comments in relation to the protection of controlled waters. We have paid particular attention to Chapter 2: The Proposed Development, Chapter 3: Alternatives and design integration, Chapter 4: Approach to EIA, Chapter 12: Ground Conditions and Chapter 19: Water Resources and Flood Risk.

#### Scoping

We are concerned that impacts relating to ground conditions, which may impact groundwater quality, have been scoped out of the Environmental Statement (ES).

Effects proposed to be scoped out by the Applicant are included below:

- Likely significant effects arising from construction are included in Section 12.8.1
  - The Applicant has provided justification for scoping these effects out via the adherence to a Construction Environment Management Plan (CEMP) and good working practices
- Likely significant effects arising during operation and maintenance are detailed in Section 12.8.2
  - Justification for the scoping out of these effects includes identification and removal/treatment of contaminated land during the construction phase, use of site-specific risk assessments and method statements and adherence to an Operational Environmental Management Plan (OEMP) and Battery Fire Safety Management Plan
- Likely significant effects arising during decommissioning are included in Section 12.8.3
  - The Report states that removal of infrastructure to a depth of 1.2mbgl will unlikely result in significant ground contamination effects, with any residual risk from spills being managed under the OEMP and outline Decommissioning Environment Management Plan (oDEMP) respectively.

The potential for impacts on groundwater quality from the construction, operation and maintenance and decommissioning stages (detailed above) cannot be scoped out at this stage, in the absence of confirmation via a Preliminary Risk Assessment (PRA) produced in accordance with [Land Contamination Risk Management](#) (LCRM) guidance. Our key areas of concern relate to the potential for contaminative impacts on aquifers, source protection zone (SPZ) 3 and groundwater abstractions from:

- Piling activities at proposed BESS and substation sites
- Horizontal direct drilling in superficial Secondary A aquifers or where extending to depths which may impact underlying bedrock Principal aquifers



- Risks from spills/leaks from BESS developments and substations, or from firefighting water in the event of a catastrophic event

Section 12 does not present a PRA or Conceptual Site Model for the proposed development, and does not set out the environmental sensitivity, or indicative magnitude of impact for aspects of ground conditions, for the potential impacts from the construction, operation and maintenance or decommissioning phases (as indicated in Section 4.5.2). Impact magnitudes are stated in Section 12.8, however these do not adhere to the categories presented in Table 4.5, and it is unclear how these have been derived.

Our concerns are supported by the following policies:

- The [National Planning Policy Framework \(NPPF\)](#) paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment by:
  - “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”
- [EN-1 Overarching National Policy Statement for Energy](#) paragraph 5.16.6 states:
  - “Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality”

Section 19.9 sets out receptor sensitivity and impact magnitude criteria with respect to water resources. We agree with the majority of categories selected, however Table 19-14 should state a sensitivity value for designated Secondary aquifer types in addition to Principal and unproductive strata, and include non-licensed groundwater abstractions.

#### Mobile contamination

We consider that the potential receptors for impact from mobile contamination during the construction, operation (and maintenance) and decommissioning phases should be clarified to incorporate:

- superficial Secondary A aquifers
- bedrock Principal and Secondary B aquifers
- groundwater Source Protection Zones
- licensed and unlicensed water abstractions

It should be clarified that disturbance of made or infilled ground causing increase in leaching and mobilisation of contamination, could impact groundwater receptors, in addition to surface water receptors.

#### Construction Environment Management Plan

Sections 12.8.1.1 and 12.8.1.2 of the Scoping Report states that mitigation of risks from soil/groundwater contamination to human health, ecology/biodiversity, environmental receptors and controlled waters (surface water and groundwater), would be typically included within a CEMP, and the implementation of embedded mitigation measures.

The CEMP needs to incorporate the requirement for a Watching Brief for unexpected contamination, and a Discovery Protocol to establish the investigation and mitigation measures and notifications to be applied under such circumstances. These documents should also outline the methods to be applied to prevent contamination and cross contamination of soils and surface and groundwater should any sources of pollution be identified.

#### Preliminary Risk Assessment and Conceptual Site Model

The Report states in section 12.9.1.1 and 12.9.1.2 that a PRA will be produced for the Proposed Development, which will be used to establish a CSM in accordance with Environment Agency Land Contamination Risk Management (LCRM) guidance. Section 12.10.1.4 states that intrusive ground investigations are likely to be carried out post-consent, to provide site specific information on ground conditions, to facilitate detailed design of foundations and the specification of control measures for the proposed development.

We request confirmation that the PRA and preliminary Conceptual Site Model (CSM) will incorporate Site Reconnaissance (site walkover). The scope of intrusive investigations should be defined to address potentially significant contaminant linkages and uncertainties in the preliminary CSM. This will enable refinement of the CSM, and the production and implementation of a Remediation Strategy, should unacceptable contaminant linkages be identified and verified (as per LCRM guidance). We would like to see reference to any such intrusive investigations being carried out in accordance with BS10175:2011+A2:2017.

#### Drilling

Sections 11.6.1.1 and 2.4.2.33 to 2.4.2.35 states that underground cables will connect the various Solar Development Areas and Monk Fryston substation, and that although the installation of this infrastructure will primarily be achieved by open trenching, horizontal directional drilling (HDD) may be instead applied at key crossing points. This work could involve the use of drilling muds, and their use may require risk assessment to ensure they do not pose a risk to controlled waters. If HDD is proposed to be used to cross watercourses, the Applicant would need to assess whether this would affect local licensed or unlicensed abstractions by carrying out a water feature survey. The EIA will therefore need to include potential impacts from:

- directional drilling
- any foundation works that may be required
- other elements of the construction may have the potential to cause or mobilise contamination

It is anticipated due to the type of development proposed, that any HDD which will be necessary during construction of the Proposed Development, is unlikely to extend to sufficient depth to result in direct impacts to the underlying Principal aquifer. However, in the absence of anticipated maximum depths for these activities, and the local presence of superficial Secondary A aquifers (in some cases overlying the Principal aquifers); we do not consider it to be appropriate to discount risks to groundwater quality from the construction, operation and decommissioning phases on the basis of the information available (Secondary A and Principal aquifers, SPZ 3 and Nitrate Vulnerability Zone).

### Piling

Table 2.1 outlines the key parameters of the proposed solar panel design options under consideration. The mounting structure for both types (fixed and tracking) are similarly stated to be proposed to be supported by a metal frame structure secured by metal posts driven between 1.5 and 4.0m into the ground. Whilst this is unlikely to result in any such foundation structures penetrating through the superficial deposits, these may introduce preferential flow pathways for any mobile contamination present through lower permeability strata.

Section 2.4.22.11 presents reasonable worst case piling depths for the BESS and substation developments, on each of the proposed Solar Development Sites, all of which would potentially extend beyond the base of the superficial deposits, and penetrate into the underlying bedrock. This introduces the potential for creation of preferential contaminant migration pathways directly into the bedrock aquifers. We consider that all proposed piling works should be supported by a Foundation Works Risk Assessment, to ensure that this activity does not result in a detrimental impact to groundwater quality. This could be incorporated into the CEMP.

### Battery Energy Storage System

A sealed drainage system needs to be put in place to adequately contain and manage any fire-fighting effluent, or contaminated surface waters generated by a fire at the site. This will ensure that there is no discharge of polluted water to ground or surface water bodies. Any BESS compound should furthermore be preferentially sited away from sensitive controlled water receptors, including areas of high groundwater vulnerability. The applicant should ensure that the Proposed Development would not impact groundwater quality during the operation phase, including potential fires at the BESS. BESS flood protection systems, and proposed fire-water containment systems, need to be introduced to prevent impacts on groundwater quality, in the event of a combined flood event and catastrophic BESS fire.

The applicant should provide an outline drainage strategy to ourselves and the local planning authority. This should include, but not be limited to:

- In the event of an emergency, contaminated firewater can be adequately contained within the site, to ensure that there is no discharge of polluted water to ground or surface water bodies.
- An impermeable base or layer beneath the battery unit compound to ensure infiltration beneath the site can be controlled.

- Any system for the storage of contaminated firewater should have sufficient capacity/headroom for the volumes expected in the event of a fire, even during periods of intense rainfall.
- The system for containing firefighting effluent should be automatic, with a backup system in place in case of power failure.

### Underground cabling

The proposed cable construction details for use as part of the proposed development are not provided in the Scoping Report. The applicant should note that Statement C5 of the Environment Agency's Approach to Groundwater Protection (<https://assets.publishing.service.gov.uk/media/5ab38864e5274a3dc898e29b/Environment-Agency-approach-to-groundwater-protection.pdf>) states that the Environment Agency will normally object to pipelines or fluid filled cables that transport pollutants, particularly hazardous substances that:

- Pass through SPZ1 or SPZ2 where this is avoidable
- Are below the water table in Principal or Secondary aquifers

The Scoping Report indicates that underground cables in the Cable Corridor are proposed to be left in-situ following the decommissioning phase. We will not accept these cables being left in-situ, if they are of a fluid-filled type, as these would represent an unmanaged ongoing potential source of mobile contamination.

### Policy and legislation

Section 12.2.1.1 states that standards and guidelines are included in Section 12.2, however these are absent. The standards and guidelines the applicant intends to follow need to be confirmed. The list will need to include [EA Land Contamination Risk Management \(LCRM\)](#) and [EA groundwater protection position statements](#), along with British Standards and other key guidance.

### Baseline

The distribution of superficial and bedrock lithologies described underlying the Solar Development Sites is consistent with our records, and a review of BGS borehole records on and in close proximity to the sites, shows the depths of superficial deposits to be broadly consistent with those stated in the report. Table 19-7 lists the Environment Agency aquifer designations applicable to superficial deposits and bedrock present within the Study Area.

Superficial deposits comprise a combination of:

- Secondary A aquifer (Alluvium, Lacustrine beach deposits, Glaciofluvial deposits, Brighton Sand Formation), Secondary (undifferentiated) aquifer (Esrick Moraine Member, Skipwith Sand Member, Vale of York Formation, Sutton Sand Formation, Naburn Sand Member and Harrogate Till Formation) and unproductive strata (Elvington Glaciolacustrine Formation, Hemingborough Glaciolacustrine Formation and Thorganby Clay Member)

Bedrock comprises:

- Principal aquifer (Sherwood Sandstone Group and Brotherton Formation)
- Secondary B aquifer (Roxby Formation and Edlington Formation)

Linear North-east to South-west trending faults are indicated crossing Solar Development Sites 1, 2 and 4, intercepted by linear North-west to South-east trending faults in Solar Development Site 4. Two linear faults trending approximately West-northwest to East-southeast are present in the south-eastern part of Solar Development Site 1.

There are no active or historic landfills within 1 km of the site. Solar Development Sites 1 to 4 and part of Solar Development Site 5 fall within a Coal Mining Reporting Area, along with the majority of the Cable Corridor Options Area. Figure 12.4 indicates that none of the Solar Development Sites or Cable Corridor Options Area are within a Development High Risk Area (DHRA), although isolated localised DHRA associated with mine entries are present just outside the 250m Study Area buffer, along parts of the Cable Corridor Options Area. The Report states that coal mining in the area is understood to have taken place at depth – we have carried out a limited review of BGS borehole records which supports this.

The southern part of Solar Development Site 5 lies within a Zone 3 groundwater Source Protection Zone (SPZ). None of the other Solar Development Sites fall within an SPZ – although the south-eastern part of the Solar Development Site 4 study area falls within the same SPZ3 area as site 5. The proposed Cable Corridor Options Area extends into SPZ3 for abstractions at Thorpe Willoughby, to the west of Selby.

The entirety of the Solar Development Areas (with the exception of a small portion in the east of Solar Development Site 1) and the majority of the study area, also lie within Nitrate Vulnerable Zones.

We note the following surface water abstractions falling within the development sites:

- Site 1 - one licensed surface water abstraction for agricultural use is present on the Pallion Dyke adjacent to the south-eastern site boundary
- Site 2 - there are two licensed surface water abstractions for agricultural use on the Fleet Dyke, on the eastern and western site boundaries.
- Site 4 - Eleven licensed surface water abstractions for agricultural use were identified within 500m of the site.
- Site 5 - Eight licensed surface water abstractions, for agricultural and energy production use, were identified within 500m of the site.

Section 12.5.1 lists the data sources used to establish the baseline ground conditions of the Study Area. Section 12.5.2 states that no surveys for ground conditions have been completed at the time of production of the Scoping Report, but a geo-environmental PRA desk study report will be produced and presented as a technical appendix to the PEIR and Environmental Statement. This will build on the findings of the assessment presented in the Scoping Report. It is not indicated whether intrusive site investigations are proposed to address areas of uncertainty identified in this PRA. If potentially

significant contaminant linkages are identified, we would expect intrusive investigations to be carried out to verify the associated risks to controlled waters.

### **Water quality**

We are pleased to see that surface water quality is scoped in for all stages. We provide the following comments to ensure that the applicant understands the risks posed to water quality, and the information we'd need to see later in the Development Consent Order process. In summary:

- the 'source-pathway-receptor' approach has yet to be fully applied
- we need to understand the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset, covering the construction and operational and decommissioning phases.

### Source

An accurate assessment must identify the onsite activities likely to generate effluent, to determine whether it constitutes a pollutant should it be discharged into the water environment. We acknowledge that the exact quantities and types of wastewater may not yet be known; however, it is a reasonable assumption that the following waste water sources require consideration:

- general site drainage
- welfare facility wastewater
- dewatering of excavations
- stockpile drainage
- waste water from cleaning activities (e.g., wheel wash, concrete wash water, solar panel cleaning)
- wastewater from HDD
- access track drainage
- hardstanding run off

### Pathway

We need to understand the disposal options for any effluent generated onsite. For example, we need to understand whether effluent sources will be discharged to the ground, discharged to surface water, discharged to sewer, or be tankered for offsite disposal. This information will assist in identifying the relevant water quality receptors, and provide a meaningful assessment of the risks associated with the proposed solar development.

### Receptor

Table 19-17 (Water Resources and Flood Risk scoping summary) scopes in surface water quality and groundwater quality for assessment. During the proposed site walkover to establish receptor sensitivity, a further objective should be to identify suitable monitoring point locations, to determine the baseline background quality of the relevant surface water and groundwater receptors.

### Pollution prevention

The report acknowledges that there is a risk of a reduction in the water quality of surface water bodies or groundwater bodies present within the draft Order Limit during the construction, operational and decommissioning phases (sections 19.6.1.2, 19.6.2.1 & 19.6.3.1). This deterioration is attributed to, “the accidental release of contaminants (such as...” and “ground disturbance and associated sediment releases”. Having identified these risks, release to the environment should be prevented by standard pollution prevention measures and good practice. We support control at source measures to prevent the release of pollutants, such as the proposed sustainable drainage system (SuDS) to manage the quantity and quality of runoff to prevent pollution from entering controlled waters, including rivers, lakes, and groundwater.

The scoping assessment lacks detail to support the assumption that surface water runoff will not be contaminated by construction activities. A monitoring plan should be implemented to ensure that routine runoff remains free of contaminants and is appropriate to release to the environment.

The scoping assessment indicates a number of stand-alone documents will be developed to address the management of pollution namely:

- Construction Environment Management Plan (CEMP)
- Outline Environmental Management Plan (oEMP)
- Decommissioning Environmental Management Plan (DEMP)

Plans will need to be included for monitoring, reporting and reviewing procedures, to ensure the project team and principal contractor have sufficient oversight of employed contractors.

#### Standards and guidance

In table 19-3 Water resources and flood risk - Standards and guidance, the *Design Manual for Roads and Bridges (DMRB) LA113 Road Drainage and the Water Environment* is listed. The applicant should note that this document is not supported for assessing the water quality impacts of non-road elements of this project, because it sets out a method of assessment (HEWRAT), agreed under a memorandum of understanding, specifically for assessing the risk of pollution from highways.

#### Methods of Assessment

In 19.11.4.2, it is stated “The potential ecological impacts of routine runoff on surface waters will be assessed using HEWRAT”. It is not clear if “routine runoff” has been extended to construction activities, or whether this is referring to a highway element of the development. Water quality impacts from onsite activities can be assessed using the methods referred to on GOV.UK <https://www.gov.uk/government/collections/risk-assessments-for-specific-activities-environmental-permits>.

#### Risk of from activities

There are several notable activities cited that could result in pollution if not anticipated and managed:

- HDD

- frac-outs are not uncommon and can result in fine sediments being released.
- Construction of concrete pad foundation
  - concrete is a known source of hazardous substances, particularly during the curing phase.
- Compounds and hardstanding
  - You may need to install an oil separator (interceptor) or other device to remove oil from water that drains off hard surfaces.  
<https://www.gov.uk/guidance/pollution-prevention-for-businesses>
- Fires affecting BESS and substation compounds
  - Hydrogen fluoride is a colourless gas that readily dissolves in water to form hydrofluoric acid. We typically expect some form of containment at a BESS or substation compound to ensure containment in all scenarios. The applicant must take all the steps that are reasonably practicable to minimise pollution from firewater.

### **Water resources**

The following matters need to be scoped in:

- Water demands for the construction, operation and decommissioning phases

We agree that that changes in surface water flow, and to groundwater connectivity, should be scoped in for potential impacts to hydraulically connected habitats, and to Groundwater dependent terrestrial ecosystems (GWDTEs). Other receptors, such as local surface water features, ponds and springs (identified in section 19.5) and licensed abstractions in proximity or within the boundary (identified in figure.19), need to be scoped in.

In level managed areas, such as the Internal Drainage Boards (IDB), in which the proposal sits, relatively small changes to levels and baseflow can impact on water availability for other abstractors. This is particularly acute during summer months and during peak irrigation season. We therefore need this to be scoped in.

Water demands are not identified in any phases of the project description and subsequently, water use and impacts to sources of supply have not been scoped in. We require it be scoped in. Consumptive uses of water during the construction phases for projects of this scale often include (but are not limited to):

- measures employed for dust suppression
- domestic and potable water supply to welfare stations
- wheel/machinery wash down
- bentonite clay mixing and continuous supply for driving HDD
- de-watering below ground excavation

New consumptive groundwater licences from the Sherwood sandstone are not available. Any dewatering which affects this aquifer will need to demonstrate that it is non-consumptive, in order to obtain an abstraction licence. Abstraction from sands and



gravels or other superficial geology or secondary aquifers may adhere to surface water policy with regards to potential licence restrictions.

Surface water abstraction may be subject to conditions which restrict access to water to periods outside of low flow. The use of surface water on site may therefore need to consider on site storage to meet demand outside of these periods.

We recommend that the availability of public water supply to any non-domestic development be explicitly checked with the water company.

We recommend that a basic water supply strategy be undertaken at the EIA stage to establish water demands and options for sources of supply. This can help to identify potential obstacles early on and may affect the design or construction process. Establishing what restrictions there are (more information can be found in the [abstraction licensing strategy](#)), and evaluating the impacts to Surface Water and Ground Water bodies may help to expedite the permitting process later on.

## **Fisheries**

In regard to fisheries matters, we do not agree with the scope of the report. Fish have rarely been mentioned throughout the EIA scoping report. The following matters need to be scoped in:

- impact on fish from noise and vibration associated with HDD (and other noisy construction activities) for the construction and decommissioning phases
  - including undertaking fish surveys to understand the baseline and therefore design mitigation
- the impact of electromagnetic fields (EMF) on fish species during construction and operation phases
  - including undertaking fish surveys to understand the baseline and therefore design mitigation

Given that the cable corridor options all cross the River Ouse, there is the potential for fish to be impacted by the scheme. Furthermore, there are numerous ordinary waterbodies that intersect the proposed solar development sites. These waterbodies are hydrologically connected to main watercourses, and therefore provide an impact-pathway, whereby fish may be affected.

Our concerns are supported by the following policies:

- The [National Planning Policy Framework](#) (NPPF) paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment by:
  - “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”

- [EN-1 Overarching National Policy Statement for Energy](#) paragraph 5.4.22 states:
  - “The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure.”

There are records of notable populations of migratory fish species in the River Ouse, including following Annex II species of Habitats Directive: Atlantic salmon (*Salmo salar*), river lamprey (*Lampetra fluviatilis*), sea lamprey (*Petromyzon marinus*), allis shad (*Alosa alosa*) and twaite shad (*Alosa fallax*). There are also records of the following NERC S41 Priority Species in the River Ouse: sea/brown trout (*Salmo trutta*), European smelt (*Osmerus eperlanus*) and European eel (*Anguilla anguilla*) (also protected under the Eels (England and Wales) Regulations 2009, as well as listed on the IUCN Red List as Critically Endangered).

The River Aire has a population of Atlantic salmon, sea/brown trout and European eel. There are also records of European smelt, allis shad, twaite shad, river lamprey and sea lamprey in the River Aire. It would therefore be prudent to ensure that the EIA assessed the impacts to these protected fish species in the Rivers Ouse and Aire (associated tributaries within the draft Order Limits).

The River Derwent is a tributary of the Ouse, with both rivers flowing into the Humber Estuary. Given that the River Ouse has known populations of river lamprey and sea lamprey, it can be argued that the River Ouse is functionally linked habitat to the River Derwent Special Area of Conservation (SAC) and Humber Estuary SAC for river lamprey and sea lamprey. Therefore, any impacts on these fish species should be screened at stage 1 of a Habitats Regulations Assessment.

### Drilling

In regards to 2.4.2.35 and 2.5.1.7 it should be noted that HDD can be a noisy activity, which can impact on fish through a behavioural response. This may delay or inhibit upstream and downstream fish migration and/or disturb key spawning times. The EIA should scope in the impact on fish from noise and vibration associated with HDD (and other noisy construction activities). Where noise levels will cause an unacceptable level of disturbance to fish, HDD activities should take place outside of key fish migratory and spawning periods. Additionally, noisy activities that may have an impact on fish should avoid taking place during hours of darkness, as this is often the time when fish movement is at its greatest. Paragraph 2.6.2.6 should be reconsidered, if noise and vibration associated with HDD is at unacceptable levels for fish.

### Desktop sources

In regards to 7.5.1, freely available Environment Agency fish survey data should be used to inform the desk study for baseline data.

### Surveys

Under 7.5.2, fish surveys should be scoped in to understand the baseline and therefore design mitigation. This is particularly important, where open trench crossing of

waterbodies for cable laying, and/or to control pollutants and fine sediment leaching into waterbodies during construction and decommissioning activities. Fine sediment and pollutants may impact fish and their habitat in the immediate vicinity and downstream of source.

### Species

Fish should be added to this list of species (under 7.5.6.1) that may be supported within the draft Order Limits. Ditches and minor watercourses, where hydrologically connected to main watercourses, can offer suitable habitat for eel and juvenile fish.

Fish should be included as a feature in the scoping summary of table 7.4. Fish are present in main watercourses associated with the development, and possibly in ordinary waterbodies within the draft Order Limits. Watercourses have been scoped in due to the potential for habitat loss, therefore it would be prudent to scope in fish, given an impact-pathway clearly exists.

### Existing baseline

In regards to 11.5.3.5, the salinity of the River Ouse at the location of the draft Order Limits needs to be confirmed. We believe the extent of saline intrusion to be downstream, therefore making the statement of the Ouse containing marine life at the location of the draft Order Limits, an error. We believe the proposed cable corridor crosses the freshwater environment, containing freshwater species, as well as diadromous fish species.

### Electromagnetic fields

The impact of electromagnetic fields (EMF) on fish species should be scoped into the full EIA. There is potential for the EMF generated to impact on the migratory behaviour of fish, both for spawning and daily in river migration for food and shelter. There is evidence that EMF may also impact the development of fish eggs and fish fry. Our current position is that in the absence of conclusive evidence of no impact, the precautionary principle should be adopted. We advise that cables are insulated/dug deeper, or whatever is required so they emit no likely detectable electromagnetic fields to receptor species. Details of the depth and reasoning with evidence should be presented in the full EIA.

### Policy and legislation

The Salmon and Freshwater Fisheries Act 1975, and Eels regulations 2009, have not been included in the list of legislation that is relevant to biodiversity (14.2). The legal responsibility on the developer pertaining to this fish specific legislation has therefore not been considered. This infers that the impacts on fish from the construction, operation and decommissioning have not been fully considered. This legislation should be listed as relevant in the biodiversity chapter of the ES and submitted as part of the DCO.

Any fish survey, fish rescue or movement of fish must be done with written permission from the Environment Agency. Further guidance can be found at [Permission to move live fish to or from a fishery - GOV.UK](#)

## **Biodiversity**

We agree in general with the biodiversity features 'Scoped In/Out' during the construction, operational and decommissioning stages, along with associated significance effects (Tables 7.4 & 7.8). We are glad to see that a precautionary approach has been taken, and that features within or near the cable corridor options areas have been 'Scoped In', pending further investigations, design development and screening during the PEIR. We are also pleased to see that the impact of Invasive Non-Native Species have been 'Scoped In' (Tables 7.4 & 7.8).

We agree with decision to 'Scope In' impacts to water-dependant habitats that are hydraulically connected to the site, during the construction, operational and decommissioning stages (Table 19.11). It is also good to see that direct loss of created, or retained habitats, has been included as a potential decommissioning impact. We recommend that steps are taken to retain such habitats (such as those created for Biodiversity Net Gain), when the land is reverted back to farmland.

## Policy and legislation

Table 7.1 misses a few recent (2024) pieces of legislation. Therefore, please include the following legislation, policy and guidance:

- Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024
- The Invasive Alien Species (Amendment (EU Exit)) Regulations 2019 is another piece of legislation controlling the spread of Invasive Non-Native Species (INNS)

## Biodiversity Net Gain

Biodiversity Net Gain (BNG) will become a legal requirement for Nationally Significant Infrastructure Projects (NSIPs) in November 2025. It is positive to read that the applicant intends to deliver over 10% BNG (7.7.3.5), although details on how this will be achieved are lacking. It is encouraging to see that the applicant aims to produce a Biodiversity Net Gain Assessment Report (7.9.5.1), which should be submitted alongside the DCO application.

We are pleased that the applicant has conducted a Habitat Condition Assessment to inform BNG (7.5.2.1), which provides more accurate habitat identification data for the BNG Metric. We recommend that applicant carries out MoRPH surveys and further River Condition Assessments, where appropriate, to inform BNG. The applicant should use the Statutory Biodiversity Metric, and the Watercourse Metric where appropriate.

## Surveys

It is positive to read that the applicant has completed, or intends to complete species-specific surveys (such as otters and water voles), to inform the ecological baseline of the EIA Scoping Boundary (7.5.2.2). We are also glad to see that the applicant plans to

complete site surveys to assess sensitivity of hydrologically connected water-dependant habitats.

We hold records of water vole on the Ouse Catchment, as well as on several Dikes and Drains. Therefore, we'd strongly recommend that the applicant considers American mink control within any water vole mitigation plans.

### Invasive Non-Native Species

We are pleased that the applicant intends to put an Invasive Species Management Plan in place, as we hold multiple records of INNS within the proposed solar sites (such as Himalayan balsam, giant hogweed and Japanese knotweed, amongst others).

Section 2.4.11 states that fencing will be designed to allow small mammals to pass through. The term 'small mammals' is commonly applied to species groups such as mice and voles, and the applicant does not define their interpretation of "small mammals". We'd recommend that the fencing allows larger species, such as otters, to commute through (if they are found to be present in survey data).

### Crossings

Section 2.6.2.2 mentions that construction activities will include the upgrade/construction of crossing points over drainage ditches, citing culverting as a possibility. We are against culverts being used, due to their impact on dispersal of some organisms (they can act as a barrier to fish species and otters). If vehicle crossings need to be constructed, we'd recommend the construction of open-span structures. If culverts are currently present on the site, we'd recommend the opening-up of these as a possible enhancement. Our position on this is supported by paragraphs 2.10.87 and 2.10.88 of National Policy Statement EN-3, which state that:

- culverting existing watercourses should be avoided
- where culverting for access is unavoidable, applicants should demonstrate that no reasonable alternatives exist, and where necessary it will only be in place temporarily for the construction period.

### Drilling

Section 19.7.1.3 states that the applicant is considering crossing watercourses via trenchless techniques, with section 2.4.2.35 proposing the use of HDD. We support the use of non-invasive means to cross watercourses, as these pose a lower risk to species and habitats. HDD needs to be at a sufficient depth to not cause any issues within the river profile, and to ensure there is no risk of pollution from bentonite breakout or other drilling lubricants, rising-up to the bed of the watercourse. We required the following plans to be submitted:

- a Drilling Lubricants Breakout Plan
  - detailing how this will be avoided and what steps will be taken if it occurs.
- A full method statement for each watercourse
  - detailing the method and any mitigation measure proposed.

### Figure 7.5

Regarding Figure 7.5, we do not understand the layer 'no main habitat but additional habitat present'. Our records show that Coastal and Floodplain Grazing Marsh/Lowland Fen is present in areas assigned to the 'non main habitat' layer, such as around the River Ouse. Please clarify the wording associated with this layer.

### Enhancements

We'd recommend that wetland, pond and watercourse enhancements be considered (potentially as part of delivering BNG), and that a landscape and enhancement plan is produced. It is positive to see that the mitigation hierarchy will be followed (7.7.3.2).

### **Geomorphology**

The following matters need to be scoped in:

- Impacts to geomorphology/hydromorphology

In sections 19.6.1.2 and 19.6.2.1, it is encouraging that physical loss of land drains, changes to surface run-off patterns and impacts to hydromorphological condition during both the construction and operation/maintenance phases have been identified. However, it is disappointing that the risks to hydromorphology are not explicitly mentioned in the scoping table. The watercourse metric of BNG is based on geomorphology/hydromorphology, and they are also supporting elements of a Water Framework Directive (WFD) assessment. Impacts on geomorphology/hydromorphology elements should therefore be scoped into the assessment.

### Crossings

Hydromorphological assessments will also have a bearing on the siting of watercourse crossings (cable and access). If possible, access and cable crossings should avoid active reaches of the watercourse, which can only be evaluated if such assessments are conducted. In the case of 2.6.2.2 Site preparation (upgrade or construction of crossing points [bridges/culverts] over drainage ditches), open span bridges/crossings should be used, not culverts, and where a pre-existing culverted crossing is to be upgraded, consider replacing the existing structure with an open span structure. Culverts, piped/flumed crossings restrict water flow, leading to backing up of water and flooding of upstream areas during high flow events. Backing up of water, and subsequent overflow, can outflank the culverts and possibly lead to avulsion of the channel. Furthermore, during high flow events, poorly designed culverts/piped crossings with incorrect capacity can be a barrier to fauna, especially mammals.

Under section 19.7.1.3, we are pleased to see that cable crossings are intended to be routed to use existing crossings where feasible, and that for major watercourse crossings, trenchless techniques are intended. It is also encouraging to note that a minimum of 10m offset from bank top for all development aspects is proposed.

### General considerations

The following are general guiding principles to consider when designing watercourse crossings to avoid negatively affecting geomorphology and natural processes:

- Avoid unnecessary interference with natural processes. For instance, encourage use of trenchless techniques such as Horizontal Directional Drilling (HDD) to minimise the likelihood of cables entering the water environment.
- Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.
- Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels which are left in-situ after decommissioning could be exposed by future river movement, becoming an impediment to natural processes.
- Consider opportunities to deliver WFD mitigation measures as part of the design.
- Avoid preventing delivery of mitigation measures, e.g. avoid bringing cables to surface level in floodplains earmarked for future river restoration.

Further guidance in regard to river crossings can be found in the following document by the Scottish Environmental Protection Agency [here](#).

### **Regulated industry**

With reference to climate change resilience (Section 8), there is a discussion about likely impacts from a changing climate, including increased frequency of extreme heat events and increased summer average temperatures. Table 8.6 (Climate Hazards) includes an increase in extreme heat events as a hazard. The scoping conclusion is that the extreme heat is unlikely to have any significant impacts on the proposed development, during the appraisal period. The efficiency of the BESS facility proposed could be impacted due to extreme heat. This should be discussed, and mitigation measures explored (such as use of natural shading).

## **Appendix 2 - Informatives**

### **Dewatering**

If dewatering is required, the applicant may require an abstraction licence if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works.

If dewatering is required, it will require an abstraction licence if it doesn't meet the criteria for exemption in [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works](#). It may also require a discharge permit if it falls outside of our [regulatory position statement for de-watering discharges](#).

Please note that the typical timescale to process a licence application is 9-12 months. The applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning.

Temporary dewatering of wholly or mainly rainwater that has accumulated in an excavation may be exempt from an Environmental Permit for a Water Discharge Activity. More information can be found on our website: [Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK \(www.gov.uk\)](#). Note that this does not permit discharge of groundwater from a passive or active dewatering activity, or permit the abstraction of groundwater.

### **Discharges**

Hazardous chemicals and elements and other pollutants are an onsite risk factor. Discharges containing pollutants may require an environmental permit under the Environmental Permitting Regulations 2016, to regulate the activity. Some low-risk activities may be exempt or may operate under an applicable regulatory position statement (RPS). The discharge of uncontaminated surface water resulting from rainfall is not an activity requiring a permit. Should surface water runoff pick up contaminants, onsite treatment would be required prior to discharge and a permit may be required. Should permits to discharge be required, be advised that a minimum timeframe of four months should be anticipated for the completion of the determination process.

The applicant may also need to consider discharge of groundwater, especially if it is contaminated. More information can be found on our website: [Discharges to surface water and groundwater: environmental permits - GOV.UK \(www.gov.uk\)](#)

The use of drilling muds for any necessary directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

### **Flood Risk Activity Permit**



The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be

obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence
- (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure
- (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

### **Waste on site**

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- Position statement on the Definition of Waste: Development Industry Code of Practice
- Our website at <https://www.gov.uk/government/organisations/environment-agency>

### **Waste to be taken off site**

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to our website for more information: [www.gov.uk/government/organisations/environment-agency](http://www.gov.uk/government/organisations/environment-agency)

### **BESS Site Design**

The National Fire Chief's Council has published detailed guidance on recommended fire protection measures for BESS sites. We recommend the applicant refers to this when designing the scheme: [Grid Scale Battery Energy Storage System planning – Guidance for FRS \(nfcc.org.uk\)](https://www.nfcc.org.uk/grid-scale-battery-energy-storage-system-planning-guidance-for-frs)

### **Internal Drainage Boards**

The table 19-2 (19.2.3 Policy) should also include The York Consortium Drainage Boards Policy Statement and the Shire Group Internal Drainage Board Policy statements.

### **Local Nature Recovery Strategy**

The applicant should refer to the River Ouse Catchment Management Plan (2024 – 2029) to understand the key catchment issues and local projects that can be supported. The applicant could consider working with the Yorkshire Dales Rivers Trust on their Biosecurity Project to control INNS within the Ouse Catchment, or the Ousewem Natural Flood Management Project to create new wetland habitat. By supporting local projects, this would also provide an opportunity for the applicant to provide off-site BNG enhancements.

North Yorkshire Council have been appointed the responsible authority to develop the Local Nature Recovery Strategy (LNRS). An update in May 2024 stated that the LNRS partnership prepared the draft version of the LNRS, and aim to publish this later in the year. They have also compiled a list of nature recovery opportunities and are in the process of mapping these. We'd therefore advise that the applicant refers to these maps and the LNRS (when published), to inform decisions on where to located off-site BNG delivery and potential enhancements. The applicant should refer to the LNRS section on the North Yorkshire Council website to check for updates.

**From:** [Clerk, Escrick Parish Council](#)  
**To:** [Light Valley Solar](#)  
**Subject:** Ref: EN0110012, Light Valley Solar, Escrick  
**Date:** 07 December 2024 18:22:53

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You don't often get email from clerk@escrickparishcouncil.gov.uk. [Learn why this is important](#)

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development).

Escrick Parish Council resolved to make the following comments with regards to the above application. Councillors do not object to the solar development site however they do have concerns about the size and scale of the proposals and the impact on the local agricultural environment. Concerns have been raised about the loss of reasonable quality agricultural land and the increase in heavy goods traffic during its two year construction.

Kind Regards  
Sally Look  
Clerk/RFO, Escrick Parish Council

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[yne@forestrycommission.gov.uk](mailto:yne@forestrycommission.gov.uk)

**Area Director**

Crispin Thorn

**By email only**

**Date: 9<sup>th</sup> December 2024**

Dear Ms. Deb Glassop,

**Ref: EN0110012 Light Valley Solar**

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on the woodland identified in this proposed application. As a Non-Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather, we are providing information on the potential impact that the proposed development could have on woodland. The Forestry Commission is pleased to provide you with the following information that may be helpful when you consider the application:

- Details of Government policy relating to ancient woodland
- Information on the importance and designation of ancient woodland
- Details of Government policy relating to non-ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). **It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland**, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 186c).

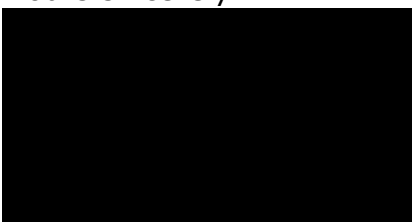
For more information on the impacts of development on ancient woodland and how to assess these, please see the joint Forestry Commission /Natural England [Standing Advice on Ancient Woodland](#) – “Ancient woodland, ancient trees and veteran trees: advice for making planning decisions”, the supporting [guidance](#) included within it, and [Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

The standing advice also provides information on mitigation, including the use of buffers. Proposals in proximity to ancient woodland should have a buffer zone of at least 15m from the boundary of the woodland to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, for example the effects of air pollution from increased traffic or industrial processes, the proposal is likely to require a larger buffer zone.

In relation to the presence of non-ancient woodland within the proposal, we would like to draw your attention to paragraph 131 of the NPPF which states that planning policies and decisions should ensure that existing trees are retained wherever possible.

What is most important to the Forestry Commission in this case is that there will be no loss or detrimental impact as a result of this proposed development on ancient woodland as mentioned above. We hope these comments are helpful to you. We look forward to hearing from you with regards to any future planning applications for this site. If you have any further queries or would like a follow up meeting to discuss this planning application, please do not hesitate to contact the Forestry Commission on the email address provided above.

Yours sincerely



Dan Brown, Local Partnership Advisor  
Yorkshire and North East Team

**From:** [FPL - Conx Request](#)  
**To:** [Light Valley Solar](#)  
**Subject:** RE: EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 25 November 2024 14:34:40  
**Attachments:** [image002.jpg](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[Letter to stat cons\\_Scoping & Req 11 Notification.pdf](#)

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Hi,

We can confirm Fulcrum Pipelines Limited do not have any existing pipes or equipment on or around the above site address.

Please note that other gas transporters may have plant in the area which could be affected by your proposed works.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 03330 146 455.

In case of an emergency please phone 0800 111 999.

Kind regards,



**FPL - Conx Request**

e: [ConnectionRequest@fulcrum.co.uk](mailto:ConnectionRequest@fulcrum.co.uk) | w: [www.fulcrum.co.uk](http://www.fulcrum.co.uk)

a: Fulcrum, 2 Europa View, Sheffield Business Park, Sheffield, S9 1XH, T: 03330 146 466

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---

**From:** Light Valley Solar <lightvalleysolar@planninginspectorate.gov.uk>  
**Sent:** Monday, November 11, 2024 2:08 PM  
**Subject:** EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

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Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate

---

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DPC:76616c646f72



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**From:** [James Barrett](#)  
**To:** [Light Valley Solar](#)  
**Cc:** [clerk@hirstcourtney](mailto:clerk@hirstcourtney)  
**Subject:** Fw: EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 20 November 2024 14:11:54  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image003.png](#)  
[Letter to stat cons\\_Scoping & Req 11 Notification.pdf](#)

---

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Hi Team,

From reading through the attached letter I understand you aren't looking for 'views' on the submission at this stage, but for 'questions' that we would like to be included as part of the application. How the project would take the below into consideration:

1. Loss of good quality agricultural land
2. Detrimental change to the character of open fields and farmland
3. Health & Safety risks posed by the battery storage and long term as a result of noise and visual impact
4. Cumulative impact alongside the other large scale solar farms already proposed in the area
5. Risk of encouraging further crime in the area
6. Potential negative effect on house prices
7. Alongside various projects locally expected around the same time, there will be a huge impact in terms of traffic
8. Negative impact on natural biodiversity and habitats
9. Better alternatives in terms of location and more efficient energy production

Let me know if these were the type of comments you was looking for or not.

Many thanks

James (On behalf of the Hirst Courtney and West Bank Parish Council)

---

**From:** Light Valley Solar <[lightvalleysolar@planninginspectorate.gov.uk](mailto:lightvalleysolar@planninginspectorate.gov.uk)>



**Sent:** 11 November 2024 14:08

**Subject:** EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate



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The Planning Inspectorate



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DPC:76616c646f72

**From:** [Harrison, Alexander](#)  
**To:** [Light Valley Solar](#)  
**Cc:** [Yorkshire ePlanning](#)  
**Subject:** Light Valley Solar - Scoping Request  
**Date:** 09 December 2024 22:14:23  
**Attachments:** [image001.png](#)  
[image585801.jpg](#)  
[G\\_HERef\\_PL00797346\\_461902\\_.pdf](#)

---

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Dear Planning Inspectorate,

Please find attached our consultation response for the Light Valley Solar EIA Scoping Request.

Kindest regard,

**Alex Harrison | Inspector of Historic Buildings and Areas  
North East and Yorkshire Region**

Tel: [REDACTED]  
Historic England | 37 Tanner Row | York | YO1 6WP



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Historic England

Mr Jim Keyte  
Arup  
One centenary Way  
Birmingham  
B3 3AY

Direct Dial: [REDACTED]

Our ref: PL00797346

9 December 2024

Dear Mr Keyte

Thank you for consulting us with the letter of 11/11/2024. We have the following advice to provide for this request for advice on the EIA Scoping Report for the Light Valley Solar Nationally Significant Infrastructure Project (NSIP) in North Yorkshire.

This development could, potentially, have an impact upon a number of designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement (ES) to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Given the extent of the proposed solar array and the extent of the cabling route corridors of the application site, this development is likely to be visible across a very large area and have a potentially large impact on the underlying archaeology. As a result, it could affect the significance of heritage assets at some distance from the site itself. We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.

From our assessment and from the information provided in the scoping report there are a total of 119 designated heritage assets including 110 listed buildings, 4 conservation areas, 5 scheduled monuments with a 2km study area from the solar farm development orders and 500m from the cable corridor development orders.

The number and types of site has been demonstrably assessed as above. However, the cultural significance of the landscape as a single asset has not been considered and at present the assessment of significance and impact is about 'sites' as opposed to an understanding of the impact and significance of 'landscape'.

As a general approach we would recommend the involvement of the Conservation Officer and archaeological staff of the Local Planning Authority in the development of this assessment. They are best placed to advise on:

- local historic environment issues and priorities;



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- how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment;
- the nature and design of any required mitigation measures; and,
- opportunities for securing wider benefits for the future conservation and management of heritage assets.

It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this and should include both fixed and dynamic/kinetic viewpoints.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns. This might lead to in situ decomposition or destruction of below ground archaeological remains and deposits and can also lead to subsidence of buildings and monuments.

Observations we would specifically like to raise from the EIA Scoping Report provided are:

#### Methodology/ Approach

- There is some inconsistency with the documents use of significance i.e. in section 4.5.2.1 discussing the 'significance of effects' and later in Table 22.1 where impact, or harm, to an asset's significance is characterised as that impact causing a 'result in the generation of additional significant effects' which uses similar language but is not clear on levels of harm and how that might relate in NPPF terms. Table 4.4 could again speaks in terms of significance so that it relates to harm in NPPF terms. A potential consequence of not linking 'significant effects' with 'causing harm to the significance of a heritage asset' is that this does not translate to the NPPF tests for harm to designated heritage assets (and non-designated archaeology). Harm is harm and needs to be avoided, reduced and/or mitigated and so this could be more clearly articulated in the ES.
- Archaeological work should be accompanied by a suite of questions from the principal archaeological advisor.

#### Landscape and Visual Impact



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- An observation from the EIA Scoping Report particularly section 14.5.8.1 is that views which may contribute to the setting of heritage assets, and thereby to their significance, are not restricted to just public views. The impact on private views of designated heritage assets should also be considered. Similarly, kinetic/dynamic viewpoints should be considered as they would allow what someone would see whilst moving around or through a landscape.
- The views should also include a third-point view where the proposal site with a secondary subject i.e. a designated heritage asset. It is acknowledged this is a large site however it is important that the views of heritage assets existing with the proposal are considered as much as views to and from/ between the proposal site and the heritage assets.
- It is noted that in 14.7.5 the report acknowledges the importance of cumulative impact which is further discussed in Chapter 20. It is acknowledged that the four stage process set out by PINs for the Cumulative Effects Assessment have begun to be carried out by collecting information on developed, or approved with a likely chance of being developed out, schemes which would, with the proposal site, together have a cumulative landscape impact. The EIA states that this CEA will be provided at the PEIR and ES stage. This is imperative to better understand the potential impact this scheme will have on the landscape in the context of extant developments and those developments which are reasonably likely to be developed out in the future.

## Physical Impact

- The extent of the cable route corridor needs to be more closely defined. Is the outlined area illustrating the potential maximum area of cable routes. Or, is showing the area in which several different route options sit within, but only one of these options would be utilised? Therefore clarification is sought on what is the material extent of cable routes for the proposed scheme. This is important for aiding the understanding of the potential impact on the significance on the underlying archaeology.
- It is noted in Table 22.1 - A Summary of the EIA Scoping Report that the



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operation and periods of component replacement would unlikely have a significant effect on the cultural significance of 'archaeological heritage assets' and 'unrecorded archaeology' provided the rationale, 'This is because any impact(s) would be associated with construction, and it is assumed that component replacement is unlikely to require excavation or other below ground works. It is unlikely that decommissioning would result in the generation of additional significant effects to those resulting from construction and operation'. Whilst this is not unreasonable, there are questions raised such as what if there are faulty cables which need replacing and requires additional, adjacent excavation etc. What if extreme weather conditions cause issues with particular cabling routes i.e. long term flooding in a certain area above cabling and new cabling is required. These are questions which should look to be answered to ensure that there is no potential for harm to be caused to the significance of designated and non-designated heritage assets before being scoped out of the ES chapter.

- Paragraph 2.4.2.11 outlines that it is not known where 'raft' or 'raft and piled' foundations would be necessary but the piling could potentially have a high impact on the significance of underground archaeology and so this decision would need to be made as to allow the ES to make this impact assessment.
- Similarly, paragraph 2.4.2.33 outlines the 'cable ploughing' or 'trenching' methods to create the cable routes which we have identified as having a potentially large impact on the significance of below ground archaeology. This partly coincides with the need to more closely define the cable routes as to understand what the potential impact on the significance of below ground archaeology is or isn't.

If you have any further queries or questions about the above please contact me directly.

Yours sincerely,

Alexander Harrison  
Inspector of Historic Buildings and Areas  
[REDACTED]@historicengland.org.uk



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For the attention of: Deb Glassop  
The Planning Inspectorate  
Environmental Services  
Operations Group 3, 2 The square  
Bristol  
BS1 6PN

Chemicals, Explosives and  
Microbiological Hazards  
Division – Unit 4

NSIP Consultations  
Land Use Planning Team  
Building 1.2,  
Redgrave Court,  
Bootle L20 7HS

**Date: 2<sup>nd</sup> December 2024**

[NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

**References: CM9 Ref: 4.2.1.7301.  
NSIP Ref: EN0110012**

<http://www.hse.gov.uk/>

Dear Deb

**PROPOSED - LIGHT VALLEY SOLAR PROJECT  
PROPOSAL BY LIGHT VALLEY SOLAR LTD  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017  
(as amended) REGULATIONS 10 and 11**

Thank you for your letter of **11<sup>TH</sup> November 2024** regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's Land Use Planning Advice**

Will the proposed development fall within any of HSE's consultation distances?

CEMHD5 response

According to HSE's records, the proposed Light Valley Solar Project components as specified in the ***Light Valley Solar EIA Scoping Report Figures Part 1 of 2, November 2024, PINS Ref: EN0110012, Figure 1.1, drawing number LVS-302939-194***, drawing title '***Site Location and Draft Order Limits***', does appear to cross the Consultation Zones of the Major Accident Hazard (MAH) pipelines, which are associated with the following pipeline operators:

- HSE Ref #7701, Transco Ref 1953, Operator Northern Gas Networks, Knottingley / Chapel Haddlesley. *(Note: Light Valley Solar Project's, Solar Development Sites 4 &5 and Cable Corridors Options Area are impacted by this MAH pipeline)*
- HSE Ref # 4032673, Transco Ref 2784, Operator National Grid Gas Plc, Asselby/Pannal. *(Note: Light Valley Solar Project's, Solar Development Site 5 and Cable Corridors Options Area are impacted by this MAH pipeline)*
- HSE Ref # 7699, Transco Ref 1951, Operator Northern Gas Networks, Chapel Haddlesley / Selby. *(Note: Light Valley Solar Project's, Solar Development Site 5 and Cable Corridors Options Area are impacted by this MAH pipeline)*
- HSE Ref # 7737, Transco Ref 1989, Operator National Gas, 7 Feeder Pannal / Cawood. *(Note: Light Valley Solar Project's Cable Corridors Options Area is impacted by this MAH pipeline)*



The Applicant should make the necessary approaches to the relevant pipeline operator. There are three particular reasons for this:

i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.

ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation if the development proceeds.

iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

### **Would Hazardous Substances Consent be needed?**

It is not clear whether the Applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances. If hazardous substances planning consent is required, please consult HSE on the application.

### **Consideration of risk assessments**

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

### **Explosives sites**

CEMHD 7's response is no comment to make as there are no HSE Licensed explosive sites in the vicinity of the proposed development.

Electrical safety

No comment from a planning perspective

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk). We are currently unable to accept hard copies, as our offices have limited access.

Yours faithfully,

CEMHD NSIP Consultation Team

**From:** [Jackson, Mark](#)  
**To:** [Light Valley Solar](#)  
**Subject:** ES Scoping Light Valley Solar  
**Date:** 11 November 2024 17:11:54

---

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Dear Deb Glassop,

Thank you for your letter of the 11<sup>th</sup> November 2024, regarding the above. After viewing the link that you have provided, at this stage there are no comments to be made by Lancaster District Council.

Kind regards,

Mark

Mark Jackson BA(Hons) DipTP MRTPI | Planning Applications Manager

Development Management Team | Planning and Climate Change Service | Lancaster City Council

Postal Address: PO Box 4 | Town Hall | [Dalton Square](#) | [Lancaster](#) | LA1 1QR

E: [REDACTED]@lancaster.gov.uk | T: [REDACTED]

The above comments are Officer opinions only and do not prejudice any future decision made by the Local Planning Authority.

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**From:** [DIO-Safeguarding-Statutory \(MULTIUSER\)](#)  
**To:** [Light Valley Solar](#)  
**Subject:** 20241118\_MOD\_Response\_EN0110012  
**Date:** 18 November 2024 09:51:14

---

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FAO: Deb Glassop

Thank you for consulting the MOD on application reference EN0110012.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I can confirm that, following review of the application documents, the proposed development falls outside of MOD safeguarded areas and does not affect other defence interests. The MOD, therefore, has no objection to the development proposed.

The MOD must emphasise that this email is provided specifically in response to the application documents and supporting information provided on the The Planning Inspectorate website as of the date of this email.

Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements and may result in detrimental impact(s) on the operation or capability of defence sites or assets.

In the event that any:

- revised plans
- amended plans
- additional information
- further application(s)

are submitted for approval, the MOD, as a statutory consultee, should be consulted and provided with adequate time to carry out assessments and provide a formal response whether the proposed amendments are considered material or not by the determining authority.

Kindest regards,

**Fi Morrison | she/her | Assistant Safeguarding Manager**

Defence Infrastructure Organisation

Estates | Safeguarding

DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire |  
WS14 9PY

Skype: [REDACTED]

Email: [REDACTED] [@mod.gov.uk](mailto:) / [dio-safeguarding-statutory@mod.gov.uk](mailto:)

**From:** [box.assetprotection](mailto:box.assetprotection@nationalgas.com)  
**To:** [Light Valley Solar](#)  
**Subject:** RE: [EXTERNAL] EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 13 November 2024 09:39:33  
**Attachments:** [image003.png](#)  
[image008.png](#)  
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[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.jpg](#)  
[HR National Gas Transmission 35381230.pdf](#)

---

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Good Morning,

With regards to the attached Planning Application, please find National Gas Transmission's LSBUD response attached.

This has now been passed over to an engineer and we will provide you with a formal response as soon as possible.

Thanks

**Jordane Maples**  
**Asset Protection Assistant**  
**Asset Protection**

 [@nationalgas.com](mailto:_____@nationalgas.com)



National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA  
[nationalgas.com](http://nationalgas.com) | [Twitter](#) | [LinkedIn](#)

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**From:** .box.assetprotection <[assetprotection@nationalgrid.com](mailto:assetprotection@nationalgrid.com)>  
**Sent:** 12 November 2024 14:57  
**To:** box.assetprotection <[box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com)>  
**Subject:** FW: [EXTERNAL] EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

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**Sent:** Monday, November 11, 2024 3:32 PM  
**To:** .box.transmissionconnections <[transmissionconnections@uk.nationalenergyso.com](mailto:transmissionconnections@uk.nationalenergyso.com)>  
**Cc:** commercial.operation <[commercial.operation@uk.nationalenergyso.com](mailto:commercial.operation@uk.nationalenergyso.com)>;  
.box.assetprotection <[assetprotection@nationalgrid.com](mailto:assetprotection@nationalgrid.com)>; .box.NGVops  
<[box.NGVops@nationalgrid.com](mailto:box.NGVops@nationalgrid.com)>  
**Subject:** [EXTERNAL] EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

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Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate



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For the registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

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You may report the matter by contacting us via our [National Gas Transmission Contacts Page](#).

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For the registered information on National Gas Transmission please use the attached link:

Our Ref: 35381230      National Gas-EN0110012

Wednesday, 13 November 2024

Jordane Maples  
National Grid House Gallows Hill  
Warwick  
WAR  
CV34 6DA

**National Gas Emergency Number:  
0800 111 999\***

\*Available 24 hours, 7 days/week.  
Calls may be recorded and monitored.  
[www.nationalgas.com](http://www.nationalgas.com)

Asset Protection  
National Gas Transmission  
National Grid House  
Warwick  
CV34 6DA  
Email: [box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com)  
Tel: 0800 970 7000

### **National Gas Transmission – High Risk Response Letter**

Dear Sir/ Madam,

An assessment has been carried out with respect to National Gas Transmission plc's apparatus and the proposed work location. Based on the location entered into the system for assessment the area has been found to be within the High Risk zone from National Gas Transmission plc's apparatus and you **MUST NOT PROCEED** without further assessment from Asset Protection.

Before you go ahead with these works, you are required to send your plans and a description for us to review them at [box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com). We will contact you within 28 days of receipt.

It is **YOUR** responsibility to take into account whether you are required to or would benefit from referring to the HSE Land Use Planning App (LUP), available from HSE's website. (Please note for some works this is a requirement for them to take place) More information on the LUP is available at <https://www.hse.gov.uk/landuseplanning/>

Please note this response and any attached map(s) are valid for 28 days.

Yours sincerely

**Asset Protection Team**



## Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near National Gas Transmission plc's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to National Gas Transmission plc (NGT)

This assessment does **NOT** include:

- National Gas Transmission's legal interest (easements or wayleaves) in the land which restricts activity in proximity to National Gas Transmission's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Asset Protection.
- Recently installed apparatus.
- Apparatus owned by other organisations, e.g. Cadent, National Grid Electricity Transmission plc, other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to National Gas Transmission plc easements or wayleaves nor any planning or building regulations applications.

National Gas Transmission plc or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Asset Protection team via e-mail ([box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com)) or via the contact details at the top of this response.

## Are My Works Affected?

### Is your proposal an Information Only or Planned Works Application?

#### Information Only

As your works are at an "Information Only" stage, any maps and guidance provided are for information purposes only. This is not approval to commence work. You must submit a "Planned Works" enquiry at the earliest opportunity and failure to do this may lead to disruption to your plans and works. Asset Protection will endeavour to provide an initial assessment within 28 days of receipt of a Planned Works enquiry and, dependent on the outcome of this, further consultation may be required. In any event, for safety and legal reasons, works must not be carried out until a Planned Works enquiry has been completed and final response received.

#### Planned Works

Your proposal is in proximity of National Gas Transmission plc's apparatus, as shown on the attached map, which may impact, and possibly prevent, your proposed activities for safety and/or legal reasons.

**You must not commence any work until you have sent details to us at [box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com) and have received a response back confirming that we have no objections to the work taking place.** You must read and follow all the guidance provided when planning or undertaking any activities at this location.

We will contact you within 28 working days of you providing us with the details of your work at the email address above. Please email, or call us at 0800 970 7000, if you have not had a response within this time frame.

## Assessment

### Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- National Gas Transmission Pipelines and associated equipment

## Requirements

### National High Pressure Gas Pipelines

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe National Gas Transmission's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near National Gas Transmission's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

DURING any work you must:

- Ensure that the National Gas Transmission requirements are followed for work in the vicinity of High pressure pipelines including the supervision of the digging of trial holes.
- Comply with all guidance relating to general activities and any specific guidance for each asset type as specified in the Guidance Section below.
- Ensure that access to National Gas Transmission apparatus is maintained at all times.
- Prevent the placing of heavy construction plant, equipment, materials or the passage of heavy vehicles over National Gas Transmission apparatus unless specifically agreed with National Gas Transmission in advance.
- Exercise extreme caution if slab (mass) concrete is encountered during excavation works as this may be protecting or supporting National Gas Transmission apparatus.
- Maintain appropriate clearances between gas apparatus and the position of other buried plant.

## GUIDANCE

### National Gas Transmission Network data

The Network map for National Gas Transmission assets can be downloaded at the following link in GIS format.

[www.nationalgas.com/land-and-assets/network-route-maps](http://www.nationalgas.com/land-and-assets/network-route-maps)

#### High Pressure Gas Pipelines Guidance:

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of National Gas Transmission High Pressure Gas Pipelines and Associated Installation – Requirements for Third Parties' (SSW22). This can be obtained from: <Link to SSW22 once it has been updated and signed off>

#### Essential Guidance document:

<https://www.nationalgas.com/sites/gas/files/documents/8589934982-Essential%20Guidance.pdf>

You should be aware of the following information regarding National Gas Transmission's high pressure underground pipelines and associated apparatus:

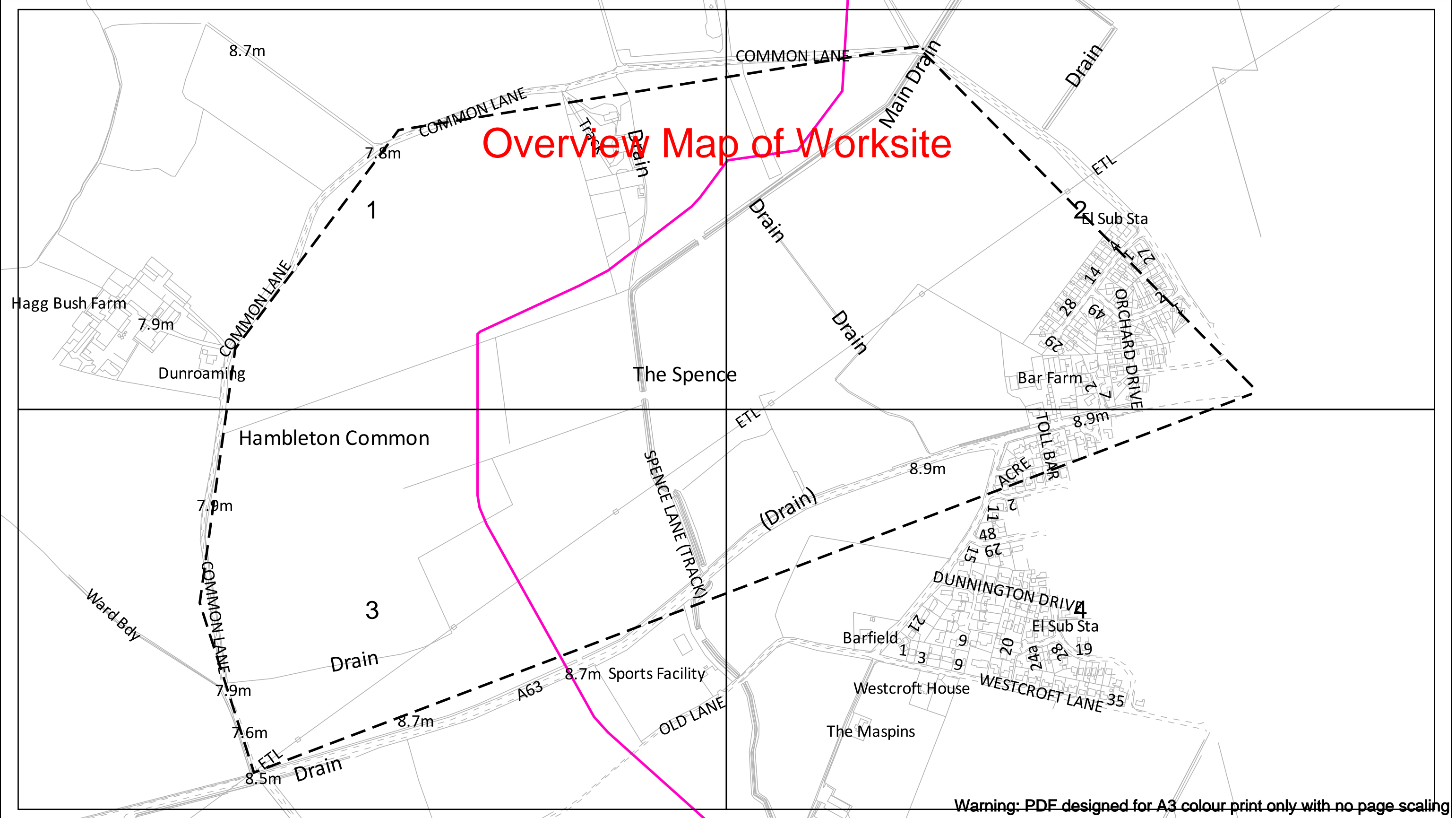
- Our underground pipelines are protected by permanent agreements with landowners or have been laid in the public highway under our licence. These grant us legal rights that enable us to achieve efficient and reliable operation, maintenance, repair and refurbishment of our gas transmission network. Hence we require that no permanent structures are built over or under pipelines or within the zone specified in the agreement, materials or soil are not stacked or stored on top of the pipeline route and that unrestricted and safe access to any of our pipeline(s) must be maintained at all times.
- The information supplied is given in good faith and only as a guide to the location of our underground pipelines. The accuracy of this information cannot be guaranteed. The physical presence of such pipelines may also be evident from pipeline marker posts. The person(s) responsible for planning, supervising and carrying out work in proximity to our pipeline(s) shall be liable to us, as pipeline(s) owner, as well as to any third party who may be affected in any way by any loss or damage resulting from their failure to locate and avoid any damage to such a pipeline(s).
- The relevant guidance in relation to working safely near to existing underground pipelines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance HS(G)47 "Avoiding Danger From Underground Services" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Our pipelines are normally buried to a depth of 1.2 metres or more below ground and further information may be found on the plans provided. Ground cover above our pipelines should not be reduced or increased.
- Any proposed cable crossings are subject to approval from National Gas Transmission, completion of a Deed of Consent and must remain a minimum of 600mm above or below the pipeline. All works associated with cable installation must be supervised by National Gas Transmission. Cables cannot be pulled through until a Deed of Consent is in place.
- If it is planned to use mechanical excavators and any other powered mechanical plant, it shall not be sited or moved above the pipeline.
- If it is planned to carry out excavation to a depth greater than 0.3 metres, embankment or dredging works, the actual position and depth of the pipeline must be established on site with our representative

and a safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- The digging of trial holes to locate the pipeline must be carried out under the supervision of our on-site representative following approval of RAMS. Excavation works may take place unsupervised no closer than 3 metres from the pipeline once its actual location has been confirmed. Similarly, excavation with handheld power tools may take place no closer than 1.5 metres away.
- For operational and safety reasons National Gas Transmission requires unrestricted access to our Above Ground Installations and Compressor Stations. We would request that any proposed changes to roads/layouts in the vicinity of our site have regard to the need to maintain access.
- Any construction traffic should either cross the pipeline using existing roads or at agreed crossing locations using agreed protective measures.
- Ground anchors for scaffolding stay wires should only be sited in the vicinity of the pipeline after the pipeline position has been confirmed on site with our representative and the ground anchor position agreed.
- If your proposals include the installation of wind turbines then the minimum separation between the pipeline and the nearest turbine should be 1.5 times the mast height.
- If your proposals include the installation of a Solar Farm, all assets must remain outside of the National Gas Transmission easement, all cable crossings must be agreed during the design stage, a Deed of Consent undertaken and an Earthing report must be provided for review. National Gas Transmission must retain access to its assets at all times once works have been completed.

The relocation of existing underground pipelines is not normally feasible on grounds of cost, operation and maintenance and environmental impact. Further details can be found in our specification for: safe working in the vicinity of National Gas Transmission high pressure gas pipelines and associated installations – requirements for third parties: T/SP/SSW/22 (see link above or copy enclosed)

# Overview Map of Worksite



Warning: PDF designed for A3 colour print only with no page scaling

Date Requested: 13/11/2024  
 Job Reference: 35381230  
 Site Location: 454570 431272  
 Requested by:  
 Miss Jordane Maples  
 Your Scheme/Reference:  
 National Gas-EN0110012  
 Scale: 1:5125 (When plotted at A3)

**IMPORTANT NOTICES**  
 This plan shows those pipes owned by National Gas Transmission PLC in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Gas Transmission PLC or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

**National Gas Transmission Emergency Number: 0800 111 999**  
 Available 24 hours, 7 days/week. Calls may be recorded and monitored

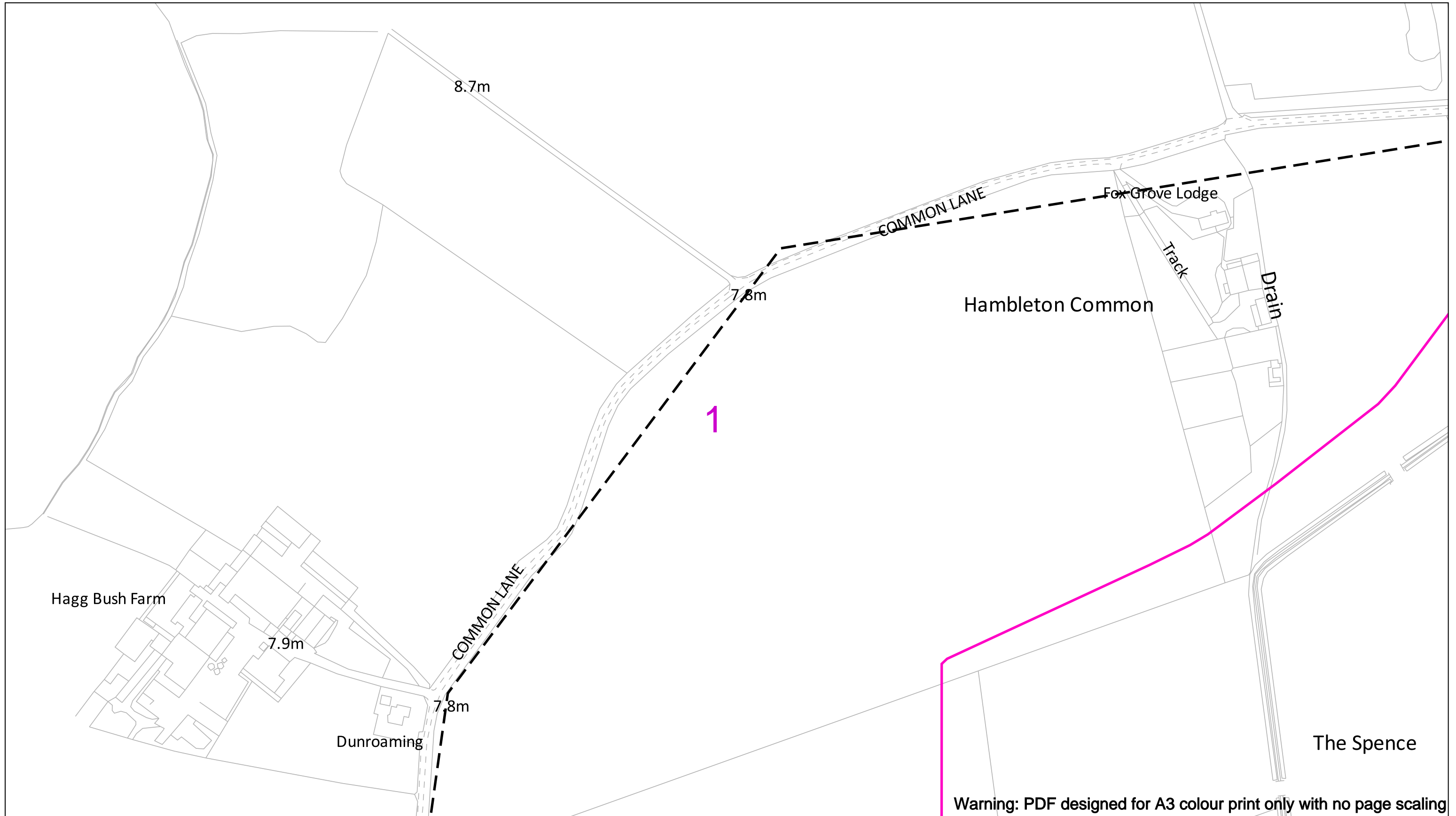
Warning: PDF designed for colour print only with no page scaling

Dig Sites    Area:    Line:

   NHP Mains



**National Gas Transmission**  
 National Grid House  
 Warwick Technology Park  
 Gallows Hill  
 Warwick  
 CV34 6DA  
 box.assetprotection@nationalgas.com



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Date Requested: 13/11/2024  
 Job Reference: 35381230  
 Site Location: 454570 431272  
 Requested by:  
 Miss Jordane Maples  
 Your Scheme/Reference: National Gas-EN0110012  
 Scale: 1:2500 (When plotted at A3)

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100m

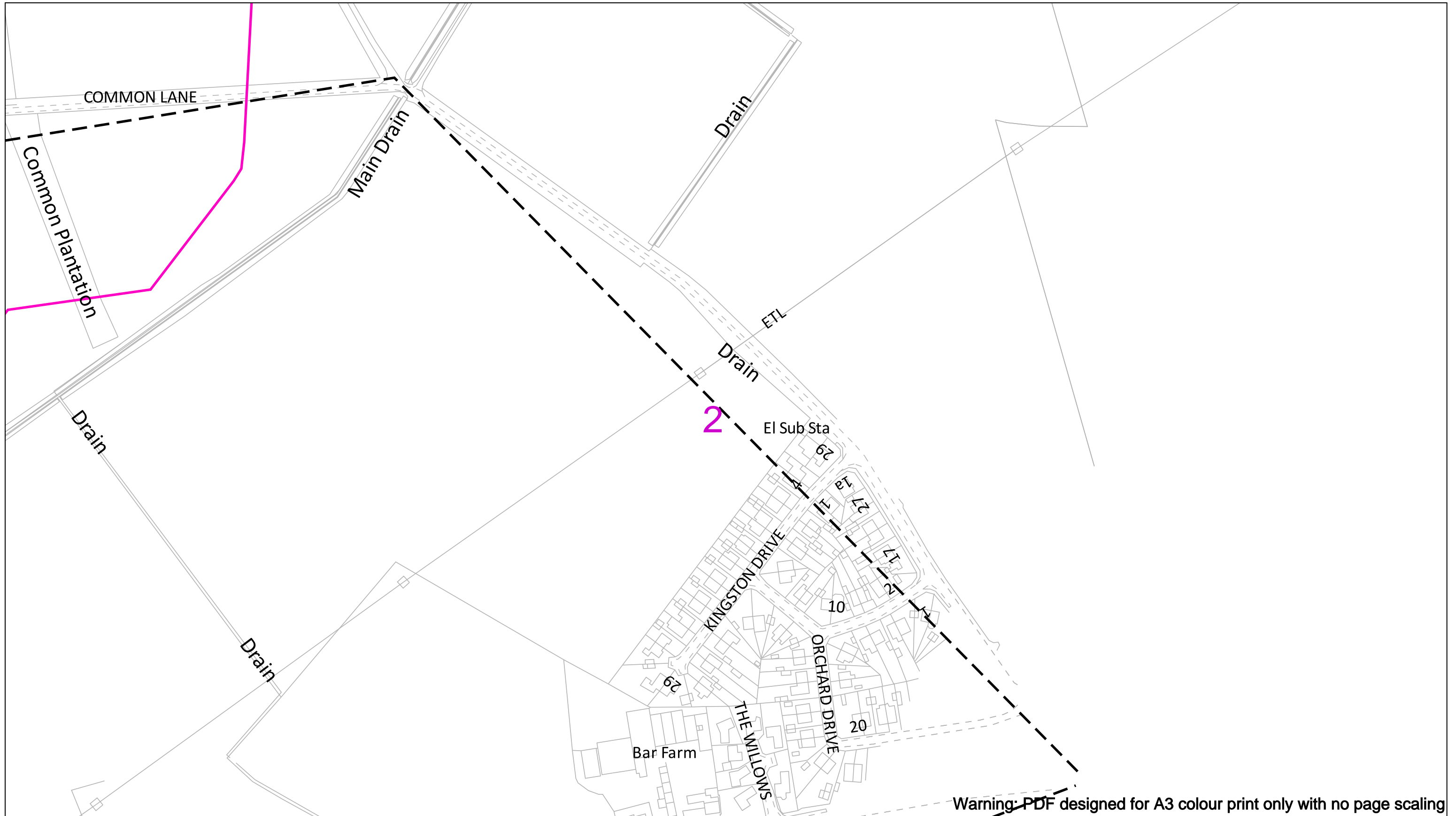
Dig Sites    Area:    Line:

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**national gas transmission**

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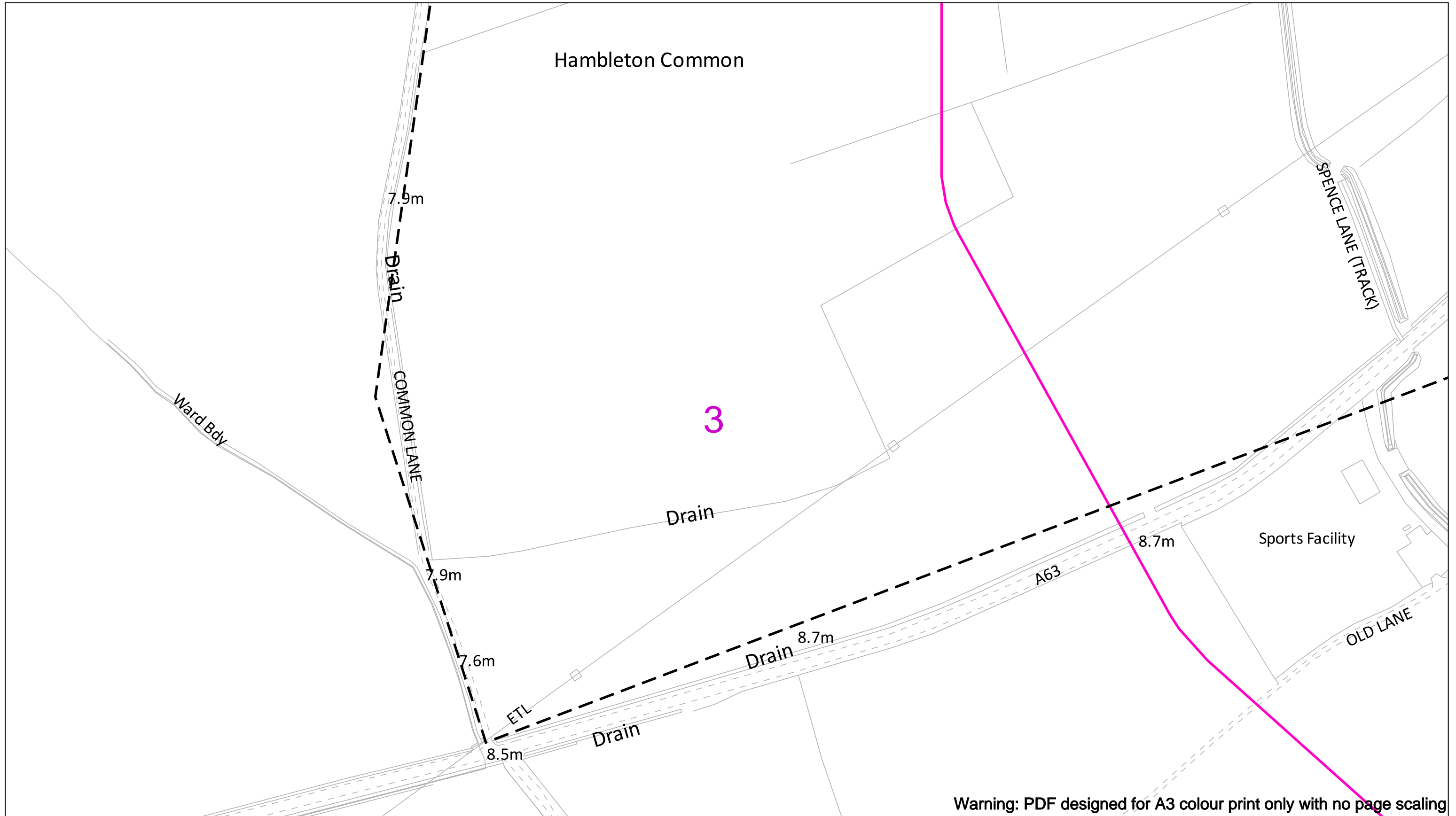
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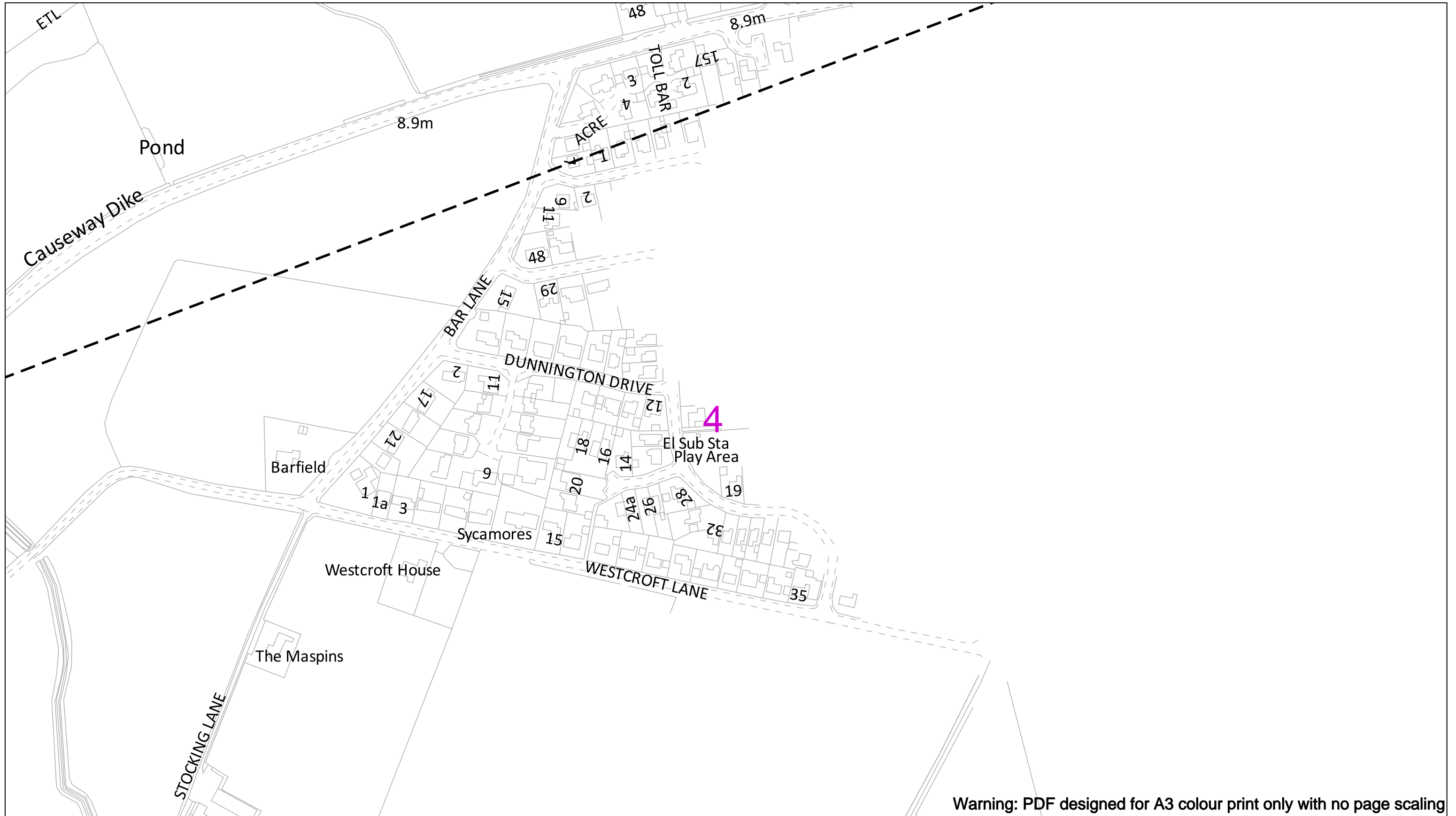
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Dig Sites    Area:    Line:

   NHP Mains

**National Gas Transmission**  
 National Grid House  
 Warwick Technology Park  
 Gallows Hill  
 Warwick  
 CV34 6DA

box.assetprotection@nationalgas.com

# ENQUIRY SUMMARY

## Received Date

13/11/2024 9:31

## Work Start Date

14/11/2024

## Your Reference

National Gas-EN0110012

## Location

Centre Point: 454570 431272

X Extent:

Y Extent:

Postcode: YO8 9LN

## Map Options

Paper Size: A3

Orientation: LANDSCAPE

Scale: 1:2500

Real World Extents: 1510m x 1041m

## Enquirer Details

Organisation Name: National Gas Transmission

Contact Name: Jordane Maples

Email Address: [REDACTED]@nationalgas.com

Telephone: [REDACTED] / [REDACTED]

Address: National Grid House Gallows Hill, Warwick , WAR, CV34 6DA

## Enquiry Type

Information Only

## Activity Type

Planning Applications

## Work Types

Solar Farm

## Notes/Works Description (if supplied)

Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development) Scoping consultation and notification of the Applicants contact details and Duty

## Site Contact Name (if supplied)

planning inspectorate

## Site Contact Number (if supplied)

03034445000

Our ref: DCOLVSOL  
Your ref: EN0110012

Paula Bedford  
Planning & Development  
National Highways  
Calder View House  
Wakefield  
West Yorkshire  
WF2 7UA

Tel: 0300 470 2337

03 December 2024

Dear Sir/Madam,

I have reviewed the EIA Scoping Report [the Report] prepared in relation to the proposed development [PINS ref: EN0110012] for a solar development located near Selby in North Yorkshire and would offer the following comments.

#### Environmental Statement

I welcome the confirmation that an ES will accompany the DCO application and would note that this should be developed in accordance with policy, particularly Circular 01/2022. Paragraph 55 of Circular 01/2022 notes that:

*“The company [National Highways] will engage in the relevant screening or scoping process where a potential impact on the SRN is identified. Environmental assessments must be comprehensive enough to establish the likely impacts on air quality, light pollution and noise arising from traffic generated by a development, along with the impacts from any proposed works to the SRN and identify measures to mitigate these impacts. Requirements and advice for undertaking environmental assessments in respect of transport impacts can be found in the DMRB.”*

#### Battery Energy Storage System

It is noted that the proposed development will comprise a Battery Energy Storage System [BESS]; as such, I would offer the following comments.

The use of batteries for commercial electricity storage is a novel technology, which in itself poses safety risks (for example, fire, explosion or terrorist activity – this list may not be exhaustive). Of particular concern is ‘thermal runaway’, where overheated battery cells self-ignite and if left unchecked may burn for extended periods of time and cannot be extinguished easily by conventional methods through the use of water alone.

Should these risks materialise they have the potential to negatively affect the operation of the SRN, particularly if the A63 has to be closed to traffic for a prolonged period of time. National Highways would not want to see any level of residual development risk after mitigation that could result in the closure to traffic of the SRN.

And, I would draw the Applicant to the Government planning guidance document (Renewable and low carbon energy - ([www.gov.uk](http://www.gov.uk))) which includes a section on battery energy storage systems and states that *'applicants are encouraged to engage with the relevant local fire and rescue service before submitting an application to the local planning authority. This is so matters relating to the siting and location of battery energy storage systems, in particular in the event of an incident, prevention of the impact of thermal runaway, and emergency services access can be considered before an application is made'*.

The Government guidance also directs applicants to consider guidance<sup>1</sup> produced by the National Fire Chiefs Council [NFCC] when preparing applications. I note that the Report states that *"separation between containers will be as per the National Fire Chiefs Council (NFCC) guidelines or National Fire Protection Association (NFPA) guidelines"*, and I welcome the confirmation of this point.

Nonetheless, the location of sites is of particular interest to fire and rescue services; who will seek to obtain details of the design, and firefighting access and facilities at these sites in their register of site specific risks that they maintain for the purposes of Section 7 of the Fire and Rescue Services Act 2004.

The Government guidance also states that the LPA are encouraged to consult with their local fire and rescue service as part of the formal period of public consultation prior to determining the planning application. This is to ensure that the fire and rescue service are given the opportunity to provide their views on the application to identify the potential mitigations which could be put in place in the event of an incident, and so their views can be taken into account when determining the application.

In terms of the guidance produced by the NFCC, I would draw your attention to the following key points to understand whether any fire-related incident at the BESS would be likely to be able to be dealt with safely and effectively by the Fire Service (and thus minimise any disruption caused to the SRN):

- *"Site access should include at least 2 separate access points to the site to account for opposite wind conditions/direction"*.
- *"Areas within 10 metres of BESS units should be cleared of combustible vegetation and any other vegetation"*. This should be clarified by the Applicant.
- *"Proposals for water supplies on site should be developed following liaison with the local fire and rescue service taking into account the likely flow rates required to achieve tactical priorities"*. It is unclear if the system for provision of water supply is fit for purpose given the rural location.

I would recommend that National Highways is afforded the opportunity to review any future response(s) from the relevant Fire and Rescue Service.

---

<sup>1</sup> <https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf>

### Cable Corridors

From a review of the information provided, it does not appear that the cable corridors cross the SRN, however, if amendments are made and cables are proposed in the vicinity of the SRN, I would highlight that the Applicant should discuss this with the relevant National Highways team as soon as possible to identify if protective provisions are required in relation to access to land in our ownership or for the works themselves.

### Glint and Glare

Considering the nature of the proposed development, it is important to highlight that paragraph 70 of Circular 01/2022 states that:

*“Some developments, notably solar farms, wind turbines and those with expansive glass facades, have the potential to create glint and glare which can be a distraction for drivers. Where these developments would be visible from the SRN, promoters must provide an appropriate assessment of the intensity of solar reflection likely to be produced, which satisfies the company that safety on the SRN is not compromised.”*

As such, I would expect any forthcoming application to be accompanied by a Glint and Glare Assessment which specifically considers impacts on the SRN.

### Policy

The policy chapter of the Report references policies that the proposed development will be brought forward with consideration to, including the National Planning Policy Framework [NPPF]. I would reiterate that Circular 01/2022 should also be taken into account.

### Construction

I welcome the confirmation that the Applicant will aim to avoid HGV movements during network peak hours.

Notwithstanding this, the Report also sets out that the daily HGV trips for each of the five solar development sites, with 26 daily HGV trips forecast in total. Nonetheless, we would expect this to be set out in a Transport Assessment [TA] with the impact at the SRN presented for review. Our comments on the preparation of the TA are presented later in this response.

### Construction Traffic Management Plan [CTMP]

I recommend that the Construction Traffic Management [CTMP] is provided to National Highways for review and agreement in writing prior to commencement of construction. Construction will then be expected to proceed in accordance with the approved CTMP. This is to manage the construction traffic impacts for the SRN. The CTMP will need to include at least the following:

- A dust management plan.
- A noise management plan.

- Pollution prevention measures.
- Staffing numbers.
- Contractor parking.
- Construction traffic routes.
- Details of delivery arrangements (including an abnormal loads); and
- Measures to limit and manage transfer of debris onto the highway.

### Abnormal Indivisible Loads [AIL]

I would note that the relevant National Highways team should be informed of any AIL in advance of any deliveries.

### Operation

I would expect the impact of the operational phase of the proposed development at the SRN to be set out in a TA.

### Decommissioning

I welcome the confirmation that a Requirement of the DCO will secure the provision of a Decommissioning Environmental Management Plan [DEMP]. Further, I would also recommend that a Requirement is imposed to secure the provision of a Decommissioning Traffic Management Plan [DTMP]. I would recommend the following wording:

*“Unless otherwise agreed in writing by the Planning Inspectorate in consultation with National Highways (or its successors) decommissioning of the development hereby approved shall not commence unless and until a Decommissioning Traffic Management Plan has been submitted to and approved in writing by the Planning Inspectorate in consultation with National Highways (or its successors). Thereafter unless otherwise approved in writing decommissioning shall be undertaken in accordance with the approved plan.”*

### Traffic Surveys

I would note that if surveys are to occur on the SRN, they must be agreed in advance with the relevant National Highways team. I also note that new data should be collected where existing data is more than 5 years old. Further, all data should be checked for accuracy and fitness for purpose, appropriate to the section of the SRN.

### Personal Injury Collision Data

It is noted that *“accident data, taken from CrashMap has been reviewed for the years 2019-2023”*. I would note that data should be reviewed for a five-year period, excluding 2020 and 2021 due to the impacts of the COVID-19, and the associated national lockdown restrictions, on travel patterns. This notwithstanding, the Report notes that *“there have been multiple fatal accidents along the surrounding SRN”*. Where fatal accidents, or clusters of collisions, are identified I would request that a causation analysis is undertaken to ascertain if there are any pre-existing road safety issues.

### Accessibility

The Report provides a brief overview of the accessibility of the proposed development by cycle and public transport, I would expect a detailed analysis of this to be presented in the forthcoming TA. I note that Circular 01/2022 states that *“developers should demonstrate that the development would be located in an area of high accessibility by sustainable transport modes”*.

### Traffic Growth

With regard to traffic growth, I would note that any assumptions underpinning the projected levels of traffic should be clearly stated so as to avoid the default factoring up of baseline traffic.

Further, the Applicant should review and include any relevant committed development traffic flows in the area that are likely to affect the flows at the relevant junctions in the assessment years. In accordance with Planning Practice Guidance, these should include development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years. Appropriate committed development flows should be agreed with the LPA. Circular 01/2022 also notes that the Transport Assessment must *“consider existing and forecast levels of traffic on the SRN, alongside any additional trips from committed developments that would impact on the same sections (link or junction) as the proposed development”*. I make reference to Footnote 21 which states that:

*“Where development proposals are consistent with an up-to-date plan or strategy (or where there is no up-to-date plan or strategy), this should include all relevant development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years and include the full amount of development to be built. Where development proposals are not consistent with an up-to-date plan or strategy, this should include all relevant development that is consented or allocated over the entirety of the plan period. In some instances, due regard should be had to permissions and allocations in neighbouring authorities. The inclusion or exclusion of specific developments should be agreed with the local planning authority at pre-application stage.”*

I also welcome the confirmation in the Report that with regard to an assessment of cumulative impacts *“the Applicant will agree which proposed developments will be included in this assessment in consultation with NYCC and NH”*.

### Traffic Generation

I consider the first principles approach to be appropriate, however, a detailed methodology should be presented for review, including traffic distribution and assignment at the SRN.

In this regard I note that in accordance with Circular 01/2022 the Transport Assessment should set out the transport vision for the development and how the transport vision will be achieved. Significant emphasis should be given to reducing the need to travel, especially by car, and maximising the use of active modes and public transport. Hence,



the trip generation set out in the Transport Assessment should accord with that established in the Travel Plan. I would expect to see multi-modal [person] trip rates before and after the implementation of measures to maximise active and sustainable travel and limit the use of the private car.

I also note that this should be presented for both the construction and operational phases of the proposed development.

### Capacity Assessments

Subject to the impact of the proposed development on the SRN, further assessments may be required. With regard to a threshold which may warrant a junction capacity assessment, the Applicant should make reference to the following guidance:

- National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2023);
- National Highways' guidance document 'Planning for The Future' (October 2023); and
- The Department for Transport's Circular 01/2022.

I refer the Applicant to 'Planning for the Future', which states that National Highways will look at planning applications assessed as being 'severe' on a case-by-case basis. This will consider the performance and character of the relevant section of the SRN and the predicted effects of the development on its safe operation.

Further, the Applicant should note that the 2007 DfT guidance that describes a '30-vehicle threshold for discussions' does not, for National Highways, justify junction capacity assessments not being undertaken.

Where assessments are required, I offer the following comments:

- Weekday peak hours – the Applicant should take into account that the peak hour periods at SRN junctions may differ to those of the local highway network, and these should be agreed prior to the assessments being carried out.
- A weekday inter-peak period assessment may be required subject to the operation of the development, shift change patterns, and the volume of traffic on the network compared with the typical peak periods.
- Assessment years – in accordance with paragraph 50 of the Circular 01/2022, assessments should be conducted at an opening year to include trips generated by the proposed development, forecasted growth, and committed development. Further, for multi-phase developments, additional assessments shall be provided based on the opening of each phase; and
- In accordance with the Circular 01/2022 – "*Planned improvements to the SRN or local road network should also be considered in any assessment where there is a high degree of certainty that this will be delivered*". Confirmation of any planned transport improvements should be agreed with National Highways / the LPA.

### Mitigation

The Report references mitigation measures, I note that this includes a CTMP, restricting HGV and AIL to specific routes, and implementing temporary traffic management where required. I would reiterate that any AIL routes should be agreed with the relevant National Highways team. Further, any temporary traffic management measures that are proposed on the SRN will need to be agreed with the relevant National Highways team in advance.

With regard to other mitigation, if the capacity assessments demonstrate that a mitigation scheme is required in order to accommodate the impact of the proposed development, there will be a number of requirements prior to determination of the planning application:

- GG142 walking, cycling and horse-riding assessment should be undertaken at the outset to inform the design of any mitigation scheme.
- As noted in Circular 01/2022, “GG 104 (or its subsequent update) identifies the framework and approach for safety risk assessment to be applied when undertaking any activity that may have an impact on safety on the SRN”.
- The design of road improvements should meet DMRB standards or clearly identify any departures from standard required.
- A Departure from Standards application may be required if the standards set out in DMRB are not achieved. This applies equally to over and under achievement of design standards; and
- A Stage 1 Road Safety Audit should be undertaken prior to the submission of the planning application.

### Travel Plan

As noted earlier in this response, the trip generation set out in the Transport Assessment should accord with that established in the Travel Plan [TP]. With regards to the preparation of a Travel Plan, I refer to the following paragraphs from Circular 01/2022:

*44. Travel plans are an effective means of incentivising the use of sustainable modes of transport. Where these are required, development promoters must put forward clear targets and commitments to manage down the traffic impact of development and maximise the accessibility of and within sites by walking, wheeling, cycling, public transport and shared travel. Targets for achieving a modal shift to sustainable transport will need to be subject to sustained monitoring and management by an appointed travel plan coordinator. Advice on preparing and monitoring travel plans is contained in the planning practice guidance.*

*47. Where the company is requested to do so, it will engage with local planning authorities and development promoters at the pre-application stage on the scope of transport assessments/statements and travel plans. This process should determine the inputs and methodology relevant to establishing the potential impacts on the SRN and net zero principles that will inform the design and use of the scheme. Development promoters are strongly encouraged to engage with the company to resolve any potential*

*issues and maximise opportunities for walking, wheeling, cycling, public transport and shared travel, as early as possible.*

As discussed, National Highways requires that the Applicant set out a vision for the development, clearly describe any aims, in terms of transport, and explain how these aims will be achieved and why they accord with the prevailing policy. Particularly, National Highways will expect the Applicant to promote and enable a reduction in the need to travel, especially by private car, and prioritise sustainable transport opportunities ahead of capacity enhancements.

I also note that, with reference to the Circular 01/2022, National Highways “*will support initiatives that reduce the need to travel by private car and enable the necessary behavioural change to make walking, wheeling, cycling and public transport the natural first choice for all who can take it*”.

### Conclusion

Any forthcoming application should be supported by a TA, TP, and CTMP. Further, I would recommend that a Requirement is imposed to secure the provision of a Decommissioning Traffic Management Plan. A Safety Risk Assessment [SRA], in accordance with standard GG104 of DMRB is also required for the BESS.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Yours sincerely

[REDACTED]

Paula Bedford  
Planning & Development  
[REDACTED] [@nationalhighways.co.uk](mailto:[REDACTED]@nationalhighways.co.uk)

**From:** [NATS Safeguarding](#)  
**To:** [Light Valley Solar](#)  
**Subject:** RE: EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation [SG38418]  
**Date:** 12 November 2024 13:48:13  
**Attachments:** [~WRD0003.jpg](#)  
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Our Ref: SG38418

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully



**NATS Safeguarding**

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



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NATS Internal

**From:** Light Valley Solar <lightvalleysolar@planninginspectorate.gov.uk>  
**Sent:** Monday, November 11, 2024 2:08 PM  
**Subject:** EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

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Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate



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[planninginspectorate.gov.uk](#)

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Date: 05 December 2024  
Our ref: 493426  
Your ref: ENO110012



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**BY EMAIL ONLY**

Dear Deb Glassop

**Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11**

**Proposal: - EIA Scoping Opinion for Regulations 10 and 11 for an order granting Development Consent for Light Valley Solar**

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 11 November 2024, received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO). Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Detailed advice on scoping the Environmental Statement is available in the attached Annex.

For any further advice on this consultation please contact the case officer Cameron Dobbie and copy to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Cameron Dobbie  
Yorkshire and Northern Lincolnshire Area Team

## Annex A – Natural England’s Advice on EIA Scoping

### General principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided<sup>1</sup>.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

### Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

Please consider the following and whether we are aware of other projects we think do need to be considered.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects

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<sup>1</sup> National Infrastructure Planning [Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements](#) (see Insert 2 – information to be provided with a scoping request)



- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The Planning Inspectorate uses a four staged approach to Cumulative Effects Assessment (CEA) with the applicant required to fill in templates [4 Stage CEA Process](#).

## **Environmental data**

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at [www.magic.gov.uk](http://www.magic.gov.uk). This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

## **Biodiversity and geodiversity**

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) and an [EclA checklist](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Many public authorities e.g. National Highways and National Grid have biodiversity duties including taking opportunities for habitat restoration or enhancement. They might have Key Performance Indicators (KPIs) to adhere to via Government policy, or have agreed approaches to BNG. Further information around general duties is available [here](#).

Remember to refer to the relevant sector specific information within National Policy Statements [here](#) and our own sector specific guidance on the SD Toolkit.

## **Designated nature conservation sites**

## **International and European sites**

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>.

Evidence Plans are a useful mechanism NSIP applicants can use to agree what information should be provided to the Planning Inspectorate and Natural England when undertaking Habitats Regulations Assessment (HRA). Agreeing the evidence-needs of the project early prior to applying for Development Consent will help reduce delays in the process. More information on Evidence Plans is available [here](#).

You should also consider where applicable our advice on the environmental considerations and use of data and evidence to support offshore wind and cable projects in English waters – see: [Environmental considerations for offshore wind and cable projects - Home \(sharepoint.com\)](#). This includes Natural England and Joint Nature Conservation Committee (JNCC)'s shared advice on 'Nature conservation considerations and environmental best practice for subsea cables in English inshore and UK offshore waters'. The outputs of Natural England's project 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' are also provided.

Natural England's Impact Risk Zones incorporate internationally designated sites and features and can be used to help identify the potential for the development to impact on a European Site. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

You can access this information through [NE Maps](#).

The development site is within or may impact on the following **European/internationally designated nature conservation site(s)**:

- Humber Estuary SPA, SAC & Ramsar
- [Lower Derwent Valley SPA & Ramsar](#)

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

<b>Table 1: Potential risk to international designated sites:</b> the development is within or may impact on the following sites		
<b>Site name with link to conservation objective</b>	<b>Features which the ES will need to consider</b>	<b>Potential impact pathways where further information/assessment is required</b>
<a href="#">Humber Estuary SPA, SAC &amp; Ramsar</a>	Supports avocet ( <i>Recurvirostra avosetta</i> ); bar-tailed godwit ( <i>Limosa lapponica</i> ); bittern ( <i>Botaurus stellaris</i> ); black-tailed godwit ( <i>Limosa limosa</i> ); dunlin ( <i>Calidris</i>	SACs are designated for rare and vulnerable habitats and species, while SPAs are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary, as well as the sites themselves. These supporting

**Table 1: Potential risk to international designated sites:** the development is within or may impact on the following sites

Site name with link to conservation objective	Features which the ES will need to consider	Potential impact pathways where further information/assessment is required
	<p>alpina); golden plover (<i>Pluvialis apricaria</i>); hen harrier (<i>Circus cyaneus</i>); knot (<i>Calidris canutus</i>); little tern (<i>Sternula albifrons</i>); marsh harrier (<i>Circus aeruginosus</i>); redshank (<i>Tringa totanus</i>); ruff (<i>Philomachus pugnax</i>); shelduck (<i>Tadorna tadorna</i>), as well as for its waterbird assemblage.</p> <p>It also supports Annex I habitat Estuaries and Mudflats and sandflats not covered by seawater at low tide and supports Annex II species that are present as a qualifying feature; Sea lamprey, River lamprey and Grey seal.</p>	<p>habitats may be used by SPA/SAC populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA/SAC species populations, and proposals affecting them may therefore have the potential to affect the European site.</p> <p>The project has potential to cause loss of functional habitat for populations of birds forming qualifying features of the SPA / Ramsar. This includes both temporary loss during construction of the cable route, and permanent loss due to siting of the panels. There is also potential for visual and noise disturbance to adjacent functionally linked habitat during the construction phase, for populations of birds forming qualifying features of the SPA / Ramsar.</p> <p>The Cable Corridor Options Area crosses the River Ouse which is noted to support migrating lamprey associated with the Humber Estuary. It is anticipated that this river will be crossed using directional drilling and therefore the design and depth of drilling will need to be taken into consideration to ensure no impacts to lamprey occur due to noise and vibration.</p> <p>Potential for water quality impacts to the lamprey migration route through surface water run-off from the development site, and due to discharges, will also require assessment within the ES, this should include potential for increased nutrient and other pollutant inputs.</p>
<p><a href="#">Lower Derwent Valley SPA &amp; Ramsar</a></p>	<p>Supports nationally important winter numbers of Bewick's swan, Golden plover, and Ruff. It also supports breeding Shoveler and other waders. It is also an area of international importance for wintering wildfowl.</p>	<p>Potential for loss of functional habitat for populations of birds forming qualifying features of the SPA / Ramsar. This includes both temporary loss during construction of the cable route, and permanent loss due to siting of the panels. Potential for visual and noise disturbance to adjacent functional habitat during the construction phase, for populations of birds forming qualifying features of the SPA / Ramsar.</p>

<b>Table 1: Potential risk to international designated sites: the development is within or may impact on the following sites</b>		
<b>Site name with link to conservation objective</b>	<b>Features which the ES will need to consider</b>	<b>Potential impact pathways where further information/assessment is required</b>
		Potential for visual and noise disturbance to adjacent functionally linked habitat for populations of birds forming qualifying features of the SPA / Ramsar during the construction phase of the development.

Natural England primarily recommends that wintering bird surveys should be undertaken in line with Annex C. Where this methodology is not followed, we recommend that justification on why the surveys undertaken will capture the required information should be provided within the subsequent HRA. Where transect surveys are used we would also recommend the routes taken should be mapped and provided within the HRA.

Natural England note that currently a single year of wintering surveys is proposed. As solar farms have big development footprints we recommend the use of two years of surveys to provide a robust understanding of the bird species which use the site, specifically in relation to Site 1. The proposed methodology also does not currently propose surveys to be undertaken during the spring and autumn passage periods. We advise these should be taken along with the additional year of wintering surveys, however we would be agreeable to a single year of passage surveys being undertaken.

We note the DCO application will also include a cable route and the final location of this is still under consideration. Surveys of the cable route, for the sections which fall within the impact risk zone for Lower Derwent Valley SPA, are also recommended to understand the potential for temporary loss of functionally linked land, as well as noise and visual disturbance to adjacent functionally linked land. However the requirement for this is dependent on the construction methodology to be undertaken, as any impacts to functionally linked land due to work on these sections would be temporary where the cables are proposed to be buried. Therefore, if the wintering and passage periods were avoided for construction of the cable then this would be a reasonable method of avoiding impacts.

We advise it would also be beneficial to ensure the survey locations allow collection of survey data up to a buffer of 300m outwith the redline boundary, as there is potential for noise disturbance impacts during the construction period.

We would also advise that the surveys are supported by use of a desk study in the HRA. This should include;

- Consultation with the Council's Ecologist;
- Consultation with local bird groups and other organisations that may hold relevant information;
- A desk-based assessment - using aerial photography, mapping, habitat maps and relevant ecological literature – of the suitability for SPA birds of the habitats present on the proposed site and adjacent fields.
- Use of BTO WeBs data for the adjacent sections of the Lower Derwent Valley to determine peak months.

### **Nationally designated sites**

## Sites of Special Scientific Interest

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk).

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The development site is within or may impact on the following **Site of Special Scientific Interest**: Burr Closes, Selby SSSI and Fairburn and Newton Ings SSSI

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

<b>Table 2: Potential risks to nationally designated sites:</b> the development is within or may impact on the following sites		
<b>Site name with link to citation</b>	<b>Features which the ES will need to consider</b>	<b>Potential impact pathways where further information/assessment is required</b>
Burr Closes, Selby SSSI	Supports unimproved species-rich damp alluvial meadow. Also noted for supporting the Forester moth <i>Procris statices</i> .	Construction close to the boundary of the SSSI could lead to damage to habitats due to pollution. Appropriate mitigation for impacts should be considered, this may include use of a Construction Environmental Management Plan.
Fairburn and Newton Ings SSSI	Diverse wetland flora which supports large numbers of birds particularly wintering wildfowl and a variety of migrants.	Potential for loss of functional habitat for populations of birds forming qualifying features of the SSSI.  Potential for visual and noise disturbance to adjacent functional habitat for populations of birds forming qualifying features of the SSSI during construction

Our advice for bird features of Fairburn and Newton Ings SSSI coincides with our advice for SPA/Ramsar birds.

## Regionally and Locally Important Sites

We are not aware that the applicant has considered regionally and locally important sites through our current engagement. We would welcome the Inspectorate reminding the applicant that the ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local sites are identified by the local Wildlife Trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

## Protected species

Background information to consider:

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using Natural England guidance on licensing [Natural England wildlife licences](#). Applicants can also make use of Natural England's charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) for details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

### **District Level Licensing for great crested newts**

Natural England are aware that Light Valley Solar Limited is considering applying to use the District Level Licensing (DLL) scheme for great crested newts (GCN).

Where strategic approaches such as DLL for GCN are used, a Letter of No Impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).

If no GCN surveys have been undertaken, Natural England's risk zone modelling may be relied upon. During the impact assessment, Natural England will inform the applicant

whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.

By demonstrating that the [DLL scheme for GCN](#) will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

### **Priority Habitats and Species**

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

### **Ancient Woodland, ancient and veteran trees**

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 186 of the National Planning Policy Framework (NPPF) sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Natural England maintains the [Ancient Woodland Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

## **Biodiversity net gain**

The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

## **Soils and agricultural land quality**

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see [www.magic.gov.uk](http://www.magic.gov.uk).

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.



- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

## Air quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)<sup>[1]</sup>. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO<sub>x</sub> and SO<sub>2</sub> against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#)

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scaill.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

## Water quality

NSIPs can occur in areas where strategic solutions are being determined for water pollution issues and they may not have been factored into the local planning system as they are delivered through National Policy Statements.

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

## Climate change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's](#) (CCC) [Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme](#) (NAP), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

**From:** [Sally Look](#)  
**To:** [Light Valley Solar](#)  
**Subject:** Ref: EN0110012  
**Date:** 08 December 2024 19:37:02

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North Duffield Parish Council have raised concerns about the increased traffic during the construction of the site.



Planning Inspectorate Light Valley Solar Limited  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
BRISTOL  
BS1 6PN

Planning Services (Selby Area)  
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Our Ref        ZG2024/1173/CPO  
Your Ref      EN0110012  
Date            9 December 2024

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development) – Scoping Consultation**

Thank you for consulting North Yorkshire Council on the above.

Our responses to the Scoping Report are as follows:

**Agricultural land and soils**

The applicant's approach is noted. Please refer to comments in **Landscape and visual** below. It is noted that Natural England are a statutory stakeholder and will be commenting separately.

**Air quality**

The Air Quality chapter of the Scoping Report concludes that as the proposed development is not likely to result in significant air quality effects, then this is scoped out of further assessment. Construction and decommissioning dust assessments will be undertaken to identify site specific mitigation measures. This will be submitted as a standalone report or technical appendix. The construction dust assessment will be undertaken in line with the Institute of Air Quality Management Guidance. We agree with the proposed approach.

**Biodiversity**

It is noted from the scoping report that the Solar Development Sites and Cable Corridor Options Area are indicative at this stage while optioneering is ongoing to finalise the most appropriate corridors that underground electric cable connections would be located within. It is therefore noted that areas identified within the scoping report and draft Order limits are likely to reduce in size. Reducing ecological impact through sensitive siting of the cable route is strongly encouraged using data from the ongoing survey and assessment process.

The scoping report identifies several sites of international importance within 20 km of the scheme. The closest of these are:

- Skipwith Common SAC (215m east of the cable corridor and 2.4 km south of solar site 1);
- Lower Derwent Valley SPA, SAC & Ramsar (2.8 km east of solar site 1)
- River Derwent SAC (2.9 km east of solar site 1)

It is noted that a shadow Habitat Regulations Assessment (HRA) will be prepared and submitted as a supplementary assessment to the ES chapter and DCO application – this approach is supported (note below concerns relating to cumulative impacts).

The approach to ecological survey and assessment set out in the scoping document is supported as it follows current best practice guidance. At this stage some of the ecological surveys have been undertaken which gives a good understanding of the types of habitats present within and surrounding the development site and the species supported by these habitats. The further surveys that are planned or ongoing will provide the detailed information needed to complete the assessment process and provide a baseline for future monitoring. Monitoring should include species groups affected by the proposals but also seek to contribute to the wider understanding of the impacts of large-scale solar farms on species such as ground nesting birds and bats. Discussions have taken place with the applicant's ecological consultant to ensure a baseline for such monitoring is in place with regards to bats.

It is welcomed that at this early stage the applicant is considering opportunities for biodiversity net gain and use of the Defra Biodiversity Metric to provide data on biodiversity losses and gains. The proposal to prepare a separate Biodiversity Net Gain (BNG) Assessment Report is supported – this should include the latest statutory Biodiversity Metric along with habitat plans to demonstrate how net gain will be incorporated into the development. We would advocate for a minimum 10% in each habitat category (area, linear and watercourse) across the scheme with monitoring and long-term management proposals clearly set out.

We support the proposal to include the following outline documents with the application submission which will demonstrate how avoidance and mitigation proposals will be secured and delivered, and which will form the basis for final detailed plans which the Council would expect to be secured as requirements within the DCO:

- Outline Construction Environmental Management Plan (oCEMP)
- Outline Landscape and Ecology Management Plan (oLEMP)
- Outline Decommissioning Environmental Management Plan (oDEMP)

The DEMP will need to have provision for detailed ecological surveys in advance of the commencement of any decommissioning. The ecological status of the site should have increased because of the BNG proposals and decommissioning should seek to avoid loss of biodiversity at this stage.

One of the main ecological concerns at this stage is the scale and location of the proposed development. This is an area of the County where there are several large-scale developments, with similar impacts upon ecological features. As such the cumulative impact assessment will be very important, in relation to impacts upon sites of international importance and impacts resulting from loss of agricultural land such as those upon ground nesting birds. Where necessary, compensation options for impacts that cannot be avoided or mitigated on site, should be proposed, including the method for securing long term management.

In summary, we are satisfied with the ecological elements proposed to be scoped into the Environmental Statement and look forward to providing detailed comments at the next stage of the application.

### **Climate change resilience**

The Council welcomes the consideration of this in the EIA and have no comments to make at this stage.

### **Greenhouse gas emissions**

The Council welcomes the consideration of this in the EIA and have no comments to make at this stage.

## Cultural heritage – Built heritage

The Proposed Development consists of a proposed solar farm with battery energy storage system (BESS). The proposal shall also include cable corridors connecting solar panel areas with one another and the National Grid. The Solar Panel Areas have a combined areas of 1066 ha and shall include the solar PV modules, BESS, substations, inverters / transformers, access tracks, fencing, CCTV, and environmental mitigation. There will be underground electrical cable routes via cable corridors between the solar development sites 1-5 and the Monk Fryston Substation and shall be connected to the existing infrastructure. The entirety of the draft Order Limits is within the administrative area of North Yorkshire Council and falls within what was the Selby district.

LOCATION: Site 1 is located approximately 430m east of Escrick village, and is approximately 20 km northeast of Monk Fryston Substation. Site 2 borders the east-bound carriageway of the A63 approximately 1.4 km east of the junction of Water Lane and the A63 in Monk Fryston and is located approximately 3.5km north-east of Monk Fryston Substation. Site 3 is located approximately 850 m to the south-east of the junction of Hillam Lane, Lumby Hill and Chapel Street in Hillam, and is located approximately 3.1km east of Monk Fryston Substation. Site 4 is located approximately 280m north-east of the junction of Main Street, Roe Lane and Haddlesey Road in Birkin, and is located approximately 4 km east of Monk Fryston Substation. Site 5 is located approximately 500 m east of Chapel Haddersley at the junction with the A19 and approximately 388m north-west of the junction of Common Lane and Hirst Road in Temple Hirst., and is approximately 10.1 km east of Monk Fryston Substation.

### Comments:

Conservation comments area provided for an EIA Scoping Report submitted to the Council for consideration upon the setting of heritage assets including conservation areas surrounding the sites and cable corridors. The scoping report considers potential impacts which may cause significant environmental effects. On this basis the comments below are related to built form conservation and their setting.

### Setting and Planning Balance

The comments have been assessed using the National Planning Statement, National Planning Policy Framework and National Planning Guidance along with relevant local plan policies for North Yorkshire (former Selby District Council).

The NPPG references the NPPF regarding the historic environment and provides further clarification on the setting of a heritage asset. It states (Reference ID: 18a013-20190723) that: “The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.”

### Study Area

The environmental statement comprises of two areas: the cable corridor options area and the solar development sites 1-5 as previously mentioned. The study area for designated heritage assets and conservation areas extends 2km from the from the sites and 500m from the cable corridor options area. Although data is limited for non-designated heritage assets the study has a 1km extension from the sites and 500m from the cable corridor options area. In total 119 designated heritage assets and conservation areas have been identified throughout the study area, comprising: 5 scheduled monuments, 110 listed buildings, of which: four are designated Grade I, seven are designated Grade II\*, and 99 are designated Grade II, and 4 conservation areas.

- Site 1

The noted listed buildings located within the vicinity of site 1 include Wheldrake Lodge, Gates, Piers and Railings at Wheldrake Lodge both of which are Grade II listed buildings, and Escrick Conservation Area. All three of these heritage assets are located approximately 90m from the site. Further heritage assets have been screened which are in the proximity 2km of the site these are noted.

- Site 2

The noted listed building located within the vicinity of site 2 includes a Milestone approximately 0.5 miles east of junction with Lowfield Road, which is designated a Grade II listed building and is located less than 10m from the site.

Further heritage assets have been screened which are in the proximity 2km of the site these are noted.

- Site 3

The noted heritage asset within this area includes Hillam Conservation Area, which is located approximately 550m from the site.

Further heritage assets have been screened which are in the proximity 2km of the site these are noted.

- Site 4

The noted listed building within the vicinity of the site is Birkin House which is designated a Grade II listed building and approximately is 80m from the site.

Further heritage assets have been screened which are in the proximity 2km of the site these are noted.

- Site 5

The noted listed building within this area includes Temple Manor which is designated a Grade II listed building and is located less than 150m from the site.

Further heritage assets have been screened which are in the proximity 2km of the site these are noted.

### Cable Corridor Options Area

It is noted that within 500m of the cable corridor options area includes one designated heritage asset the Gatepiers to Escrick Park which is designated a Grade II listed building. Church of St Helen Grade I listed building, The Manor House Grade II\* listed building there are 26 Grade II listed buildings within 500m and the site and Riccall Conservation Area.

### Construction Assessment

Potential impacts via construction would affect the cultural significance of built environment including the character of conservation areas, and the contribution made by setting.

The proposed development may result in permanent and irreversible impacts resulting from construction. This includes but may not be limited to changes to belowground environments. There may also be temporary, short-term, reversible impacts from the construction of the development and would potentially include, but are not limited to construction compounds, materials storage areas, temporary access routes, security lighting, welfare facilities, and other construction related infrastructure. Also included would be the setting of built heritage assets and conservation areas due to level changes and extent of artificial light, noise from construction, vehicle movement, and presence of construction personnel required and traffic to build the scheme. Furthermore, as the solar pv have a lifespan of 40 years and the batteries of 20 years may be replaced twice during the operational lifetime. Thus resulting in further disturbance to heritage assets.

### Decommissioning

The process of decommissioning would involve the removal of all solar infrastructure, including the solar PV modules, and BESS and all associated infrastructure and is understood to be recycled or disposed of in accordance with good practice and processes at that time. Decommissioning of the Solar pv on sites 1-5 would also result in change to the setting of designated and non-designated heritage assets, conservation areas, in a positive manner given supporting infrastructure would be removed.

It is noted that any cable connections within the cable corridors would remain in place following decommissioning.

### Conclusion:

National Policy Statement for Energy (EN-1), 2024, National Policy Statement (NPS) EN-1 instructs the Secretary of State to consider the potential harm caused to the significance of a heritage asset by impact(s) resulting from a proposed development. Harm to significance can be assessed as 'substantial' – which also includes the total loss of a heritage asset and less than substantial. NPS EN-1 advises that during decision making there should be a presumption in favour of the conservation of designated heritage assets and that loss affecting any designated assets should require clear and convincing justification. It also refers to considering impact on non-designated heritage assets on the basis that assets have a heritage significance that merits consideration in decision making.

The setting of the named heritage assets above would be affected through this development proposal. Their significance falls in various levels and for the most part it is the space which is around them or their agricultural setting which adds to their significance. The cable corridors would on a temporary basis

create setting concerns along with the plant equipment and associated works to lay the cable and erect the solar pvs and battery storage.

The proposal would amount to less than substantial harm. It is recognised that national policy states that where harm has been identified a justification and a public benefit needs to be applied and be convincing to meet the tests which fall within it. There may be other benefits derived from this scheme but not on a heritage level.

### **Cultural heritage – Archaeology**

The document uses the term 'non-designated heritage assets' throughout. It seems clear from the document that the wording is applied in a plain-English meaning, i.e., to indicate that an asset is not designated. However, the term 'non-designated heritage asset' has been defined by the Government as a heritage asset that has been specifically identified by a plan making body as having a degree of significance meriting consideration in planning decisions (see paragraphs 039 and 040 in the following Government guidance - <https://www.gov.uk/guidance/conserving-and-enhancing-the-historicenvironment>).

As an example, para. 10.5.3.17 lists five non-designated heritage assets within the Site 4. Although these are listed on the Historic Environment Record, they have not been specifically identified by a plan making body as having a degree of significance. It is quite possible that some of these sites might qualify as non-designated heritage assets (e.g., the two medieval moated sites) but equally likely that several fall below the threshold (e.g., MNY9906, a now demolished post-medieval cottage).

It is recommended, that going forward, the term 'non-designated heritage asset' is only used for those assets such as local list buildings or items specifically identified in neighbourhood plans or conservation area appraisals. Other assets, which are not designated, or locally identified, should be referred to as 'heritage assets' or similar. The assessment may, of course, make recommendations for the planning authority to identify new 'non-designated heritage assets' as part of the planning process.

In general, the Council supports the assessment methodology put forward in the Cultural Heritage chapter as far as it relates to heritage assets of archaeological interest. The scoping report indicates that a geophysical survey will be conducted for the entire area and that some of this work has already taken place. The Council agrees with this approach and look forward to seeing the completed results which should allow an initial characterisation of the archaeological potential and significance of the area. Paragraph 10.5.3.19 indicates that the completed surveys have been a success and have identified a range of anomalies of archaeological interest. There is slight concern that the completion of the geophysical survey may be reliant on landowner permission (para. 10.5.2.4) and if there are such issues, these should be identified as soon as possible. If large areas are unavailable for survey, then it may have an impact on our ability to form a proper assessment.

The scoping report suggests, that in the first instance, a design solution will be taken to ensure impact on below ground archaeological features is limited (Section 10.7). This might include designing archaeological exclusion zones where 'no dig' foundations replace piling or direct drilling of cable connections at depths below complex remains. The developer suggests that there is sufficient flexibility in design to allow this sort of embedded mitigation. However, the Council is concerned that there may be discrete areas where unavoidable ground disturbance coincides with significant archaeological deposits. Where this is the case, and a design solution is not possible, then it is recommended that further field evaluation may be required in the form of archaeological trial trenching as part of the assessment process. This is contrary to the statement in the scoping report where it is suggested that pre-consent trial trenching will not be required (para. 10.5.2.4). Again, the Council would be keen that any such issues are brought up at an early a stage as possible.

The scoping report indicates that embedded mitigation may be supplemented by archaeological recording. We agree with this approach but would stress that any nationally significant remains should be subject to a design solution rather than archaeological recording (para. 10.7.3.2).

The production of a suite of management plans (set out in 10.7.2.1) includes a specific Outline Archaeological Remains Management Plan. This will be supplemented by an Overarching Written



Scheme of Investigation (Para. 10.7.3.2) and site-specific Written Schemes of Investigation. Again, the Council agrees with this approach which embeds the archaeological mitigation within the construction process and gives it a suitable profile.

We support the proposal to enhance heritage assets through the EIA process (para. 10.7.3.4) and would be happy to collaborate with the developer in identifying opportunities.

### **Electric, magnetic and electromagnetic fields**

The Council welcomes the consideration of this in the EIA and have no comments to make at this stage.

### **Ground conditions**

The report proposes to scope Ground Conditions out of the EIA, but a Geoenvironmental preliminary risk assessment (PRA) desk study report will be submitted as a technical appendix. The PRA will recommend appropriate mitigation for the proposed development. We agree with the proposed approach.

### **Human health**

The Council, through its Public Health function, under the Director of Public Health, disagree with the applicant's decision to scope out human health from the Environmental impact assessment (EIA) scoping report, and recommend that human and population health must be scoped in for the following reasons.

1. *The adjacent residents have not been considered as a geographical population group.*  
Paragraph 13.1.1.7 concludes that 'Health effects on individuals (or individual residential receptors) are therefore out of scope'. While the population and Human health chapter does look at population groups, the applicant has considered the residents that live along the application boundary to be individual residential receptors. These residents (identified in paragraph 13.5.3.3) should not be considered in isolation but as a geographical population group due to their common proximity to the proposed development. Therefore, we would insist that these residents are considered in the EIA, and that their views are captured and collectively assessed. Ignoring this data would not allow the application to fully understand the significance of the impacts associated with their proposal.

2. *Cumulative impacts to be considered as part of the EIA human health chapter*  
Paragraph 13.1.1.3 'Scope and methodology' does not include cumulative effects. Communities in the application area, within the former Selby District, are disproportionately experiencing the impacts of NSIP schemes and the clustering of multiple NSIP Schemes, as well as applications which fall below the NSIP threshold but still have the potential to significantly impact upon the communities in which they are proposed. This section should include both NSPIS and other significant developments that are occurring concurrently, and consecutively. In addition those projects that have occurred/ or have been granted within the last 3 years should also be factored in as these have changed the baseline which may not yet be reflected in the latest data.

While the cumulative effects are considered separately in chapter 20 'Cumulative and in-combination effects', guidance 1 advises that "The practice of solely relying on other EIA technical chapters to provide the coverage of human health (i.e. disparate discussion of health issues across the EIA Report), is not recommended and should not be the justification to scope out health in EIA".

The cumulative effects should be viewed through a health lens and included in the human health chapter, rather than being scoped out.

3. *Baseline conditions*

Paragraphs 13.5 identifies the baseline conditions and the desk top sources for completing the assessment. There is an absence of specific health data which the applicant should rectify using the information and data in the JSNA2 and other relevant local data such as Public Health England's Fingertips Data3.

<sup>1</sup> Institute of Environmental Management and Assessment (IEMA) Guide to: Effective Scoping of Human Health in Environmental Impact Assessment. November 2022

<sup>2</sup> [North Yorkshire Joint Strategic Needs Assessment](#) (JSNA)

#### 4. *PROW and greenspace*

In paragraphs 13.6.1.1 potential impacts, environmental amenity (construction) and 13.6.2.1 (operation and maintenance) the applicant must ensure that the perception and enjoyment of environmental spaces, PROW and Landscape change is taken into consideration. The significant visual impact upon the communities can impact upon the populations enjoyment or living in the area and choosing to participate in physical activity, through changes in views/vistas and potential intimidation and general degradation of the environment from the development. Lower rates of physical activity or access to good quality greenspace can impact mental and physical health and therefore should be scoped into the assessment. The proportion of adults and reception age children who are overweight or obese in the former Selby district is higher than the England average, and the availability of exercise opportunities within developments can help reduce this inequality.

Paragraph 13.6.1.4 Access to open land and nature (construction) concludes that "Overall, the impacts on PROW are not considered to materially affect local people's ability to enjoy green space and engage in outdoor activity, and therefore no potential health effects are identified." we would like to ensure that this assumption reflects the population opinion and as part of the community engagement process the applicant should seek views on the relevant populations' perceptions of the potential significance of the impact. There is currently no evidence to support the Applicants assumption. Paragraph 13.6.2.4 (Operation and Maintenance) states "There are no potential health effects associated with reduced access to open land and nature. There may be some permanent diversion of rural PROW as a result of the Proposed Development and some routes may be affected by intermittent views of the sites. However, due to planned mitigation measures (screening and planting) to be incorporated into the design, the scale of impact is not likely to deter the use of these routes". However, screening takes many years to establish and permanent closure of some routes can impact upon communities enjoyment of the PROW and thus their use, therefore the applicant must acknowledge that the proposal has the potential to impact upon the use of the routes, and only with appropriate evidence gathered through community engagement can the applicant draw a concrete conclusion.

#### 5. *Timescales*

The applicant proposes to consider the effects over the construction, operation and decommissioning phases. When considering Population and Human Health these timescales fall short of being an appropriate timeframe for assessing impacts. Health, including mental and physical wellbeing can be impacted from the moment a scheme is proposed though increased anxiety about a potential development. When considering health and wellbeing the time scale applied in the assessment must commence at the moment the project reaches pre application phase. Therefore, the timescales applied to the Population and Health assessment should differ to those in other ES chapters and should be agreed by the Local Authority. In a similar way short term impacts on human and population should have a greater weight as these cannot be considered in the same way as other sections in the ES.

Paragraph 13.6.3 Decommissioning. Due to the long timescale until decommissioning, the applicant must forecast the future population baseline when trying to draw conclusions on the potential for and significance of populations at that stage, or recommend re-assessment prior to decommissioning.

#### 6. *Access to health, social care and other infrastructure during building phase*

Paragraph 13.6.1.3 Access to health and social care and other social infrastructure. The applicant states that their Workers dispersed throughout these settlements will not have an impact on demand for services. We would insist that the applicant undertakes appropriate assessment of the existing registers at the GP practices where they envisage the workers will reside, and contact the GP practice to ensure that any increase in registration can be accommodated within the practice. The applicants own assumption is not an appropriate basis to make such a conclusion. The potential for increased demand on services from the workers at other NSIP sites in this area should also be considered as part of the cumulative impacts on health.

#### 7. *Community engagement*

Paragraph 13.7.1.5 'Relevant embedded measures for the Proposed Development', identifies areas within the other EIA chapters that are of relevance to human health. However, it does not include consideration of other factors in the application that can help mitigate against the impact on human mental health such as community engagement.

We would welcome early, effective and robust community engagement which meaningfully and continually put local communities and any concerns, at the heart of its proposal, and where impact cannot be avoided appropriate mitigation must be planned into the development. It is important that the assessment recognises that the absence of national standards or evidence does not equal the absence of harm. Community views and options are one way for information/ evidence to be captured and the applicant must seek to capture the views of the community in this regard alongside the required community involvement activities and robustly manage or mitigate against the concerns raised by the community. The applicant should consider the inclusion of a population and human impact survey being carried out along with the community engagement to ensure that the communities concerns, worries can be appropriately factored into the schemes proposal. The information gathered as part of the engagement process must be made available to the Local Authority in a transparent manner. This would help communities feel that their concerns are being acknowledged and considered but also contribute to the applicants own ethical practice and improve the quality of the outcomes of developments future proposals both their own and industry wide.

To commit to being a 'good neighbour' the applicant should consider establishment of a community management plan which provides a meaningful mechanism for residents to express concerns/ experiences throughout the lifespan of the proposal. This approach would provide a vehicle that can act to implement additional mitigation if/when an impact arises that the applicant hasn't appropriately mitigated by design.

In conclusion, the Council's Public Health team advise human health to be scoped into the Environmental Statement.

The emerging Selby Local Plan (Policy SG9 Design) requires certain development proposals to undertake a full health impact assessment (HIA) where appropriate, and any design requirements to be accommodated into the subsequent scheme. This seeks to ensure applications appropriately consider the health impacts, both positive and negative, of development. We require any application submitted to be accompanied by a separate HIA assessment.

## **Landscape and visual**

These comments principally relate to Chapter 14 Landscape and Visual in the Applicant's EIA Scoping Report, but comments may overlap with other topic areas such as Cultural Heritage, Agricultural Land and Soils, Biodiversity, Noise and Vibration, Human Health, Cumulative and in-combination Effects.

These comments are mainly based on the current published details within the North Yorkshire administrative area but we also note the potential for cross-boundary effects within the York City administrative area relating to Site 1.

We would generally agree with the Scoping Report that Landscape and Visual should be 'scoped in' and considered within the EIA. However, we do not fully agree with the detail of those individual aspects (receptors) 'scoped out' listed in Table 14.12 and at this early stage would recommend that these should be reviewed and included until the scheme is further developed and better understood.

We would also wish to see further consideration for Residential Visual Amenity Assessment (RVAA), given the proximity of the proposed development to residential dwellings and the potential to envelop settlement and properties (e.g. Chapel Haddlesey, East Haddlesey, Temple Hirst (Site 5)).

Key landscape and visual considerations within the EIA / LVIA should include:

- Site Selection / the overall scale and nature of the proposed development
- Cumulative landscape and visual effects
- Night-time visual effects (temporary construction and permanent lighting)
- Reducing adverse effects through 'good design'.
- Wider landscape strategy and GI connectivity (including along the proposed cable connection corridor)
- Long-term maintenance and management.

We note statements within Chapter 14 that at present the potential for in-combination and cumulative impacts is unknown and will be considered further in the PEIR and ES. We would wish to agree the overall scope and method for the cumulative assessment within the LVIA and encourage to Applicant to consult with us on this at an early stage.

We would wish to see further information on site selection and extents of the proposed site including cable connection corridor. We note that the cable connection corridor extends beyond Monk Fryston Substation to the west side.

In order to understand scope for the LVIA and landscape strategy and given the scale of this development we would wish to see further explanation and understanding of the site section process and significance of the grid connection points, particularly given that the sites and cable connection corridor are in/adjoining the Green Belt, on Best and Most Versatile agricultural land, and within / proximity to Selby's Locally Important Landscape Areas (LILAs).

We note the operational phase for the development is 60 years (para 2.7.1.1), but that Solar PV modules and Batteries have a lifespan of 40 years and 20 years respectively (para 2.7.1.2). We would wish to see clarification for the planned timescales and lifespan for the development, and how this might relate to future planned capacity of each Site and use of the cable connections beyond immediate need presented in this application.

The quantity and location of representative viewpoints are not agreed. We would wish to see further information and clarification for this (see below).

Given the large landscape-scale of the proposed development, we would strongly encourage the Applicant to seek out opportunities to protect, enhance and better join up existing Green Infrastructure, to create new Green Infrastructure, in addition to incorporation of other measures to mitigate or minimise the consequences of development or through Community Benefits Agreements.

In relation to landscape and visual amenity we are generally supportive of an LVIA methodology undertaken to GLVIA3.

Other Supporting Comments:

Landscape Mitigation Strategy - The landscape strategy and mitigation should be proportionate to the scale of the development and be robust enough to accommodate these large-scale and cumulative effects at a wider strategic level and also take account of uncertainties remaining until development of the detailed design stage.

Consideration should be given to limitations of easements along the cable corridor, particularly where this might affect retention and replacement of vegetation.

The Applicant should consider offsite mitigation to compensate for and offset residual adverse effects or thought a dedicated community enhancement fund or Community Benefits Agreement where this cannot be achieved within the site.

Where the Applicant is intending to use the 'Rochdale Envelope' approach we would expect this to consider the worst-case scenario. In the absence of detailed design for solar PV panels, AGIs, battery storage, substations and the design and alignment connection cable, we would suggest a proactive approach should be taken by the applicant for improving the existing vegetation within the application site and the cable connection corridor. This would give us confidence that further landscape and arboricultural impacts could be sufficiently mitigated at the detailed design stage.

For a development of this scale we would also expect to see clear provision of green infrastructure actively applied within the whole of the application area including the cable connection corridor.

Green Belt - Further information is needed to explain effects of the proposed development on the openness and permanence of green belt considering; spatial and visual aspects; the duration of development and remediability; the degree of activity likely to be generated, such as traffic generation and vehicle movement within the site.

Glint and Glare – Glint and glare has potential to affect landscape and visual amenity and we welcome consideration of this in the EIA.

Soil Management, Agricultural Land – We welcome consideration of this in the EIA. A Soil Resource Plan and Soil Management Plan will be needed in order to protect and manage site soils, including protection and restoration of ALC best and most versatile land where appropriate.

Landscape and Visual Methodology – We would generally expect the LVIA to be in accordance with GLVIA Third Edition (LI and IEMA, 2013). We would wish to see a clearly defined methodology and approach for assessment of the 6 separate sites, the cable connection corridor, and the cumulative effects. We would also wish to draw attention to the recently published clarification for GLVIA3 (LITGN-2024-01).

This should also include photography to current LI guidance on 'Visual Representation of Development Proposals' (see Photographs and Photomontages below).

Landscape character and visual amenity of heritage assets should also be considered in the LVIA (contribution of setting to heritage significance would typically be considered in the Heritage Chapter of the EIA).

Study Area – We would support the proposal for an initial 3km radius study area for the LVIA, this could be subsequently reduced if appropriate to focus on likely significant effects. However, we would wish to agree a suitable study area for the cumulative assessment following further development of the scope and assessment method.

Night-Time Visual Effects – Given the scale of the proposed development and until further design of the development is clarified, we would wish to see night-time visual effects scoped into LVIA. We would wish to see clear assessment and consideration of how illumination of the proposed development would be reduced through good design, to reduce urbanising influence and prevent further erosion of the baseline.

Existing Trees and Vegetation - There is potential for the development to adversely affect existing boundary trees and vegetation. This should be reviewed, protected and retained where appropriate. A tree survey and arboricultural impact assessment will be required to BS5837:2012. This is important if boundary vegetation is needed for ongoing screening of the site.

The operational life of the proposed scheme should also be taken into account. We would wish to see certainty that site vegetation would be retained during the maintenance management period and not later removed as a consequence of the development.

Temporary access, storage and working areas – these should be taken into account as part of the assessment.

Visual Assessment and Representative Viewpoints - The quantity and location of representative viewpoints are not yet agreed.

Certain viewpoints might benefit adjustment in order to get a clear view of the scheme. We would welcome further discussion to agree final viewpoints. Typically, we would wish to see proposed viewpoints together with a ZTV of the proposed development overlaid onto a constraints plan with information of receptors they represent. It may be appropriate to provide multiple ZTVs for different parts of the development (eg each site (1-6), solar PV panels, substations, AGIs, battery storage etc).

The principle of using representative viewpoints to illustrate the experience of different types of visual receptor is acceptable, however the assessment should aim to describe and assess the full effects of the development (not limited to a summary of viewpoints) and to explain the scale and geographical extent of effects.

Photographs and Photomontages – should be in-line with Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals (Landscape Institute, 2019).

We would suggest that for annotated photo-panoramas TGN 06/19 Type 1 or additional wirelines to TGN 06/19 Type 2 are most appropriate. For viewpoints selected for photomontages I would suggest at least Type 3, but Type 4 should be considered where sensitivity of context, scale and proximity of the development warrant it. I would wish to see a realistic impression of scale and detail.

We would wish to see photomontages to explain how adverse effects will be mitigated over time. Photographs should include winter views where possible to explain the worst-case scenario.

Appendix 3 and 4 in TGN 06/19 should be noted, with camera / tripod height / position in the field adjusted as necessary so that views show the full extent of the site / development and show the effect it has upon the receptor location. Views of the site should not be unnecessarily obscured by buildings, roadside hedgerows or other vegetation.

Assessment of Tranquillity – There is potential for significant adverse noise effects associated with construction, decommissioning activities, and operational noise arising from static plant installations (inverter stations and energy storage containers). Consideration should be given to assessment of tranquillity and effect on local character and setting, particularly in relation heritage and other local sensitive receptors such as residential properties. PROW, local farmsteads. We would wish to agree a methodology and approach for this.

Cumulative Effects – the LVIA should consider cumulative landscape and visual effects in conjunction with other similar developments in the study area including those currently being considered or approved by adjoining planning authorities but not yet implemented.

Site Design, Landscape Proposals, Mitigation, Maintenance and Aftercare – Notwithstanding the criteria used by the Applicant within the EIA to determine ‘significant effects’ other adverse effects should not be ignored particularly where it is reasonable and possible to reduce these through ‘good design’. Overarching National Policy Statements for (EN-1, EN-2, EN-4) set out criteria for ‘good design’ and acknowledges the benefits of good design in mitigating the adverse impacts of a project, including the landscape and visual effects.

We would wish to see a landscape strategy for proposed scheme, which helps minimise adverse effects and demonstrates good design. The landscape strategy should consider the wider site and future maintenance responsibilities.

Consideration should be given to limitations of future maintenance access and easements along the line of the cable corridor, particularly where this might affect retention and replacement of vegetation.

Landscape proposals should support the Government’s commitment to improving green infrastructure, health and wellbeing, as set out in the 25 Year Environment Plan. The Leeds City Region Green and Blue Infrastructure Strategy, NPPF and other and local policy also recognise GI.

The applicant should consider a wider strategic approach to landscape proposals and mitigation of cumulative effects and how this would contribute to Natural England’s 15 Green Infrastructure Principles of ‘Why’, ‘What’ and ‘How’

(<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPinciples.aspx> ).

Link to Natural England’s Green Infrastructure Principles and the England Green Infrastructure Mapping: <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPinciples.aspx>

Long-term maintenance and management should be considered, particularly where this is needed for ongoing mitigation, screening and biodiversity benefit. Sufficient stand-off distance should be provided from existing trees and vegetation where these are to be retained and protected and to allow maintenance access.

## **Major accidents and disasters**

The chapter on Major accidents and disasters is in line with the PINS advice page. We have no further comment at this time.

## **Noise and vibration**

Section 16 of the EIA Scoping Report covers the relevant standards, guidance and assessment methods that the Environmental Health department of the Council would expect to see when assessing impact from noise and vibration of a development of this kind.

The Applicant has stated that they will consult with this department regarding noise and vibration as part of the assessment process and non-statutory and statutory consultation to agree on the proposed assessment methodology, including details of the baseline environmental sound surveys and will also give opportunity for this department to make any further comments if needed.

The applicant further confirms that environmental sound level surveying will be undertaken to establish baselines at locations representative of existing sensitive receptors. They again also state that consultation will be undertaken with this department prior to undertaking the surveys to confirm the assessment approaches, measurement locations and methodology.

The applicant has identified the closest noise sensitive receptors most likely to be impacted by the construction and operation of the Proposed Development are located in areas near Escrick, Temple Hirst, Chapel Haddlesey, Birkin, Hillam, Monk Fryston, and Hambleton. The department would expect the surveys and reports to cover all of these areas.

This department would also welcome the mentioned Construction Environmental Management Plan (CEMP) once this is able to be produced.

This department would expect mitigation measures to be included with all reports and surveys should they be required to prevent adverse impacts at nearby sensitive receptors.

## **Socioeconomics**

The applicant's approach is noted, and we have no further comments at this time.

## **Traffic and movement**

The Local Highway Authority (LHA) notes the developer is to produce a Transport Assessment for the site to support its production.

The applicant suggests that all existing access points to the sites are expected to remain. In order to comply with North Yorkshire Council (NYC) specification, the access points must provide the correct visibility splays and construction details. If the access is unable to meet NYC guidance, then a S278 may be required.

Consideration should be given to Solar site phases 2, 3 and 4 as they're all within close proximity to Monk Fryston serving heavy traffic throughout daily. A Transport Assessment should be provided stating the routes which each phase will use during construction. Alternatively, phases may be constructed consecutively as opposed to simultaneously to relieve possible congestion build up.

A construction management plan (CMP) must be provided and adhered to. This should include but is not exhaustive to:

- Parking arrangements off the public highway.
- Access routes and how timing of deliveries will be monitored.
- Wheel wash facilities.
- Programme of works.
- Site set-up.
- Means of access into site.
- Traffic management.
- Waste management.
- Dilapidation Survey.

The applicant has stated that no surveys have currently been carried out. The LHA requires accurate current data to reflect the current traffic levels along with speed data.

## **Water resources and Flood Risk**

No comments received from technical officers.

## **Cumulative and in-combination effects**

The cumulative impact assessment is in line with the PINS advice page. We anticipate working closely with the applicant on this matter as the assessment progresses and have no further comment at this time.

## **Other comments**

The application site is within Minerals Safeguarding areas for Brick Clay, Limestone and Sand Gravel. The application will require a Minerals assessment.

–

If you require any further information, please do not hesitate to make contact.

Yours faithfully,

A black rectangular redaction box covering the signature of Trevor Watson.

Trevor Watson  
Assistant Director - Planning





# NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00415649  
Job: 1308351

York Fire Station  
Kent Street  
York  
North Yorkshire  
YO10 4AH

When telephoning please ask for: Sam Crossley

Tel: [REDACTED]  
Fax: [REDACTED]

Email: [REDACTED]@northyorksfire.gov.uk

13 November 2024

Dear Sir or Madam,

Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development)

Receipt is acknowledged of your planning communication:

Dated: 11 November 2024  
Plans No: EN0110012

Your communication has been dealt with as follows:

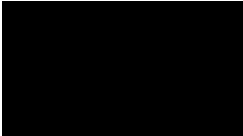
At this stage in the planning approval process the York and North Yorkshire Combined Authority in its capacity as Fire and Rescue Authority ("YNYCA") have no observation to the proposed development. The YNYCA will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the YNYCA.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, [www.northyorksfire.gov.uk/about-us/data/privacy-policies/](http://www.northyorksfire.gov.uk/about-us/data/privacy-policies/).

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, [www.northyorksfire.gov.uk/about-us/financial/lists-and-registers/](http://www.northyorksfire.gov.uk/about-us/financial/lists-and-registers/).

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully,



S Crossley MiFireE

**From:** [Before You Dig](#)  
**To:** [Light Valley Solar](#)  
**Cc:** [Before You Dig](#)  
**Subject:** RE: EXT:EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 11 November 2024 16:12:33  
**Attachments:** [image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)

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You don't often get email from beforeyoudig@northerngas.co.uk. [Learn why this is important](#)

Good afternoon,

NGN has a number of gas assets in the vicinity of some of the identified “site development” locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include “Population Density Restrictions” or limits within certain distances of some of our “HP” assets.

The gas assets mentioned above form part of the Northern Gas Networks “bulk supply” High Pressure Gas Transmission” system and are registered with the HSE as Major Accident Hazard Pipelines.

Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect you or anyone involved with the site (or any future developer) to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets.

(In terms of High Pressure gas pipelines, the routes of our MAHP’s have already been lodged with members of the local Council’s Planning Department)

Regards,

**Kim Richardson**

Admin Assistant - Customer Operations Support

**Northern Gas Networks**

Mobile: [REDACTED]

[www.northerngasnetworks.co.uk](http://www.northerngasnetworks.co.uk)

[facebook.com/northerngasnetworks](https://facebook.com/northerngasnetworks)

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Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please read our [Personal Data Privacy Notice](#)**

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**From:** Light Valley Solar <lightvalleysolar@planninginspectorate.gov.uk>

**Sent:** Monday, November 11, 2024 2:08 PM

**Subject:** EXT:EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

You don't often get email from [lightvalleysolar@planninginspectorate.gov.uk](mailto:lightvalleysolar@planninginspectorate.gov.uk). [Learn why this is important](#)

External email! - Think before you click

Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate



[@PINSgov](#)



[The Planning Inspectorate](#)



[planninginspectorate.gov.uk](https://www.planninginspectorate.gov.uk)

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DPC:76616c646f72



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# ***OUSE & DERWENT INTERNAL DRAINAGE BOARD***

(A Member of the York Consortium of Drainage Boards)

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Thursday 21 November 2024

Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Sir/Madam,

<b>Drainage Board Reference:</b>	PR24/0356
<b>Planning Application Number:</b>	EN0110012
<b>Description:</b>	Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development)

The Board is writing in relation to the application for a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement in relation to the future application for a Development Consent Order.

## **Generally**

“Site 1” sits within the Drainage Board’s district.

The Cable Corridor between Site 1 up to the northern side of the River Ouse is also within the Board’s district.

The development area to the south of the River Ouse is outside of the Board’s district – including Sites 2-5.

The Board will therefore be focussing on Site 1 and the Cable Corridor within our district.

There are a number of Board maintained watercourses and ordinary watercourses within/surrounding Site 1 and within the proposed Cable Corridor. These watercourses are known to be subject to high flows during storm events.

Ordinary watercourses are not maintained by the Board – they remain with the riparian owner to maintain. However, the Board’s consent is still required in certain instances set out below.

## **Board’s Consent**

Under the Land Drainage Act 1991 and the Boards’ byelaws, the Board’s **prior written** consent (outside of the planning process) is needed for:-

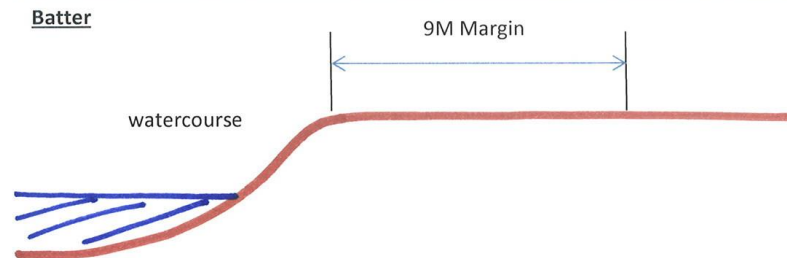
- a. any connection into a Board maintained watercourse, or any ordinary watercourse in the Board’s district.



- b. any discharge, or change in the rate of discharge, into a Board maintained watercourse, or any ordinary watercourse in the Board's district.

***This applies whether the discharge enters the watercourse either directly or indirectly (i.e. via a third party asset such as a mains sewer).***

- c. works within or over a Board maintained watercourse, or any ordinary watercourse in the Board's district – for example, land drainage, an outfall structure, bridges, culverting etc.
- d. any construction, building, hardstanding, fencing or planting within 9 metres of the top of the embankment of a Board maintained watercourse (as shown on the below diagram)



Please note that the Board does not, generally, own any watercourses and the requirement for you to obtain the Board's consent is in addition to you obtaining consent from any land owner or other authority to carry out the relevant works.

Full details of the Consent process can be found on our website:- <http://www.yorkconsort.gov.uk>

### **Works very close to Board maintained watercourses**

The Board's prior written consent is required for any new buildings, structures, solar panels, fences, walls, planting or hardstanding within 9 metres of the top of the embankment of any Board maintained watercourse.

The Board would, generally, seek for there to be nothing within 9 metres of the top of the embankment of the Board maintained watercourses so that the Board's machinery can go alongside the watercourse and carry out maintenance works to the watercourse.

In addition, we want to ensure that there is nothing to destabilise the embankments of the watercourses.

The Board notes Commitment D5 and welcomes the applicant's approach:

D5

A minimum offset of 10m from bank top for all watercourses to all infrastructure (including fencing) and construction works related to the Proposed Development, except where watercourse crossings are required (access tracks / cable routing / fencing will be located to pass across existing watercourse crossings where feasible).



## Works very close to the ordinary watercourses

For any ordinary watercourses (i.e. ones which the Board do not maintain), the Board would request a minimum of 3 metres from the bank top to be left completely clear of any new buildings, structures, solar panels, fences, walls, planting or hardstanding. This is to ensure there is sufficient room for maintenance works to the watercourse by the riparian owner in the future.

Please note that for solar panels (see below), the solar panels must be 9 metres from the bank top of any watercourse.

Again, the Board notes Commitment D5 and welcomes the applicant's approach:

D5	A minimum offset of 10m from bank top for all watercourses to all infrastructure (including fencing) and construction works related to the Proposed Development, except where watercourse crossings are required (access tracks / cable routing / fencing will be located to pass across existing watercourse crossings where feasible).
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## Underground Cables

If the applicant is proposing to insert a cable under a watercourse within the Board's district, the Board's prior written consent must be obtained.

We would prefer for any cables crossing watercourses to be laid above any existing culverts so that they do not affect water flows and do not therefore require the Board's consent in terms of the cables themselves.

If this is not feasible, directional drilling must be used. We will not accept open cut crossings.

The Board notes Commitment D35 and welcomes the applicant's approach:

D35	Where major watercourse crossings are required for the cable corridor, trenchless techniques will be utilised where possible, this is likely to involve HDD under rivers although other trenchless techniques and bridges may be considered.
-----	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## Surface Water from Solar Panels

The Board will not request a drainage strategy for the solar panels themselves strictly on the basis that:

- a. There must be a greenfield buffer area 9 metres from the top of the embankment of a **Board maintained** watercourse.

Nothing can be built or placed in this area to ensure access to the watercourse and for maintenance purposes, but also to ensure that there is a buffer area to try and slow any overland flows from the solar panels.

- b. There must be a greenfield buffer area 9 metres from the top of the embankment of any **ordinary** watercourse (i.e. one not maintained by the Board). This is to again to provide a buffer area to slow any overland flows.





- c. The area directly underneath the solar panels must have continuous grass/vegetation all year round. The Board do not want bare soil. We want vegetation to store the water and slow the flows coming off the solar panels.

If the above 3 points can be complied with, then the Board will not require a Drainage Strategy for the solar panels themselves.

The Board notes Commitments D5 and D1 and welcomes the applicant's approach:

D5	A minimum offset of 10m from bank top for all watercourses to all infrastructure (including fencing) and construction works related to the Proposed Development, except where watercourse crossings are required (access tracks / cable routing / fencing will be located to pass across existing watercourse crossings where feasible).
----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

D1	Opportunities to retain grazing / other compatible agricultural uses under panels will be explored and considered alongside other compatible land uses such as measures to maximise biodiversity
----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The Board would ask that it is specifically noted/agreed that there will be grass/vegetation/agricultural use under the panels to enable point c. above to be complied with.

### **Access Tracks**

If Type 3 (with a 30% voids ratio) is used for the access tracks, the Board view this as "permeable" and not requiring a drainage strategy.

If the applicant installs Type 1 materials or other impermeable materials, the Board will view this as "impermeable" and requiring a drainage strategy.

The Board notes Commitment D9 and welcomes the applicant's approach:

D9	Internal access tracks will be permeable to allow water to filtrate through and maintain greenfield runoff rates.
----	-------------------------------------------------------------------------------------------------------------------

### **Inverters, Substations, Compounds**

Where an impermeable area is over 50m<sup>2</sup>, then the Board's policy is that this requires a formal drainage strategy. In that instance, the Board would request:

#### **1. Soakaways**

The Board always recommends that soakaways are first considered in accordance with the Planning



Practice Guidance hierarchy for the management of surface water. The Board would recommend:-

i. **Percolation Testing**

That the applicant be asked to carry out soakaway testing, in accordance with BRE Digest 365, in order to ascertain whether the soil structure is suitable for a soakaway system.

ii. **Soakaway Design**

Should the testing prove to be successful the applicant should then submit a design for the soakaway, for approval by the Lead Local Flood Authority (“LLFA”) as the “approving authority” for soakaways, which should:-

- i. Storage volume should accommodate a 1:30 year event with no surface flooding (plus 30% allowance for climate change); and
- ii. Storage volume should accommodate no overland discharge off the site in a 1:100 year event (plus 30% allowance for climate change).

2. **Discharge into a Watercourse**

The Board will only accept a discharge into a watercourse (directly or indirectly) where soakaways are not feasible. The below requirements apply when:

- There is a direct discharge to a watercourse.
- There is an indirect discharge to a watercourse – for example, through a private drainage system, or a mains sewer, which eventually discharges into a watercourse.

a. **Details of the Watercourse / Sewer**

The Board would request details of:

- i. What the applicant is proposing to discharge into – for example, a watercourse.
- ii. The location of the proposed point of connection.

b. **Flow of the Watercourse**

If the applicant is proposing to discharge directly (or through private drainage) into a watercourse, and if that watercourse is not maintained by the Board, we would ask:

- i. Where this watercourse is flowing to. A simple plan showing the route of the watercourse to the nearest Board maintained watercourse is usually sufficient.
- ii. Details of the condition of the watercourse to ensure the same is flowing freely prior to any discharge. The applicant is responsible for ensuring that the watercourse is free flowing but we would ask that they walk along the watercourse and ensure there are no blockages. Photographs should be provided as evidence.

c. **Discharge Rate**

Where there is greenfield/agricultural field land, the maximum discharge that will, generally, be accepted is at the “greenfield” rate of 1.4 litres per second per hectare.

The Board does, however, apply a minimum discharge rate of 0.5 litres per second.



William Symons Clerk to the Board

Derwent House, Crockey Hill, York, YO19 4SR ☎ Tel 01904 720785 🌐 [www.yorkconsort.gov.uk](http://www.yorkconsort.gov.uk)

d. **Flow Control Device**

Whilst the Board is not the “approving authority” for flow control devices, we would request simple details as to what is proposed with regards to how the flow will be restricted to the agreed discharge rate.

e. **Surface Water Storage System**

Again, the Board is not the “approving authority” for surface water storage systems. However, we would request details of:

- i. The proposed surface water storage system (which we would usually recommend is impermeably lined); and
- ii. The proposed storage volume and accompanying calculations. The system should accommodate a 1:30 year event with no surface flooding (plus 30% allowance for climate change); and no overland discharge off the site in a 1:100 year event (plus 30% allowance for climate change). We would however recommend that a system should try and accommodate the full 1:100 year storm event (plus 30% allowance for climate change) wherever possible.

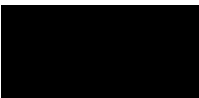
f. **Outfall Structure**

If there is a direct discharge to a watercourse, the applicant should also provide details of the proposed outfall structure into the watercourse.

**Conclusion**

The Board hopes the above assists and is happy to discuss any of the above matters further.

Yours faithfully,



Charlotte Gill  
Planning Officer  
Email: [Planning@yorkconsort.gov.uk](mailto:Planning@yorkconsort.gov.uk)



## Planning, Building Control and Regulatory Services

Town Hall, Market Street, Nelson,  
Lancashire BB9 7LG

Assistant Director: Neil Watson

Telephone: [REDACTED]

Minicom: [REDACTED]

Date: 11th November 2024

Our Ref: GEN/24/0185/PREAPP

Please ask for: Alex Cameron

Telephone: [REDACTED]

Email [REDACTED]@pendle.gov.uk

Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol  
Avon  
BS1 6PN

Dear Sir/Madam

Pre-Application Enquiry

APPLICATION: GEN/24/0185/PREAPP

PROPOSAL: Consultation on Scoping Opinion of proposed Light Valley Solar farm.

AT: Light Valley Solar Farm North Yorkshire

FOR: Light Valley Solar Limited

Pendle Borough Council has no comments to make on the Scoping Opinion

Yours faithfully

[REDACTED]

Principal Planning Officer

**From:** [Adrian Miller](#)  
**To:** [Light Valley Solar](#)  
**Subject:** PINS Ref EN0110012  
**Date:** 13 November 2024 14:16:41  
**Attachments:** [image001.png](#)

---

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Dear Sir,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)– Regulations 10 and 11

Application by Light Valley Solar Limited (the Applicant) for an Order granting Development Consent for Light Valley Solar (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

I refer to your email dated 11 November 2024 in respect of the above matter and can confirm that Redcar and Cleveland Borough Council have no comments to make in respect of the Scoping request submitted to the Secretary of State.

Kind regards  
Adrian Miller

**Adrian C Miller BA(Hons) Dip TP MRTPI**

Head of Planning and Development  
Redcar and Cleveland Borough Council  
Seafield House  
Kirkleatham Street  
Redcar TS10 1SP

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]@redcar-cleveland.gov.uk

Website: <http://www.redcar-cleveland.gov.uk>

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My usual in-office days are Monday and Tuesday

Upcoming leave:



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Redcar & Cleveland Borough Council, Redcar & Cleveland House, Kirkleatham Street, Redcar, TS10 1RT, Tel: 01642 774 774, Website: [www.redcar-cleveland.gov.uk](http://www.redcar-cleveland.gov.uk)

**From:** [Adam Branston](#)  
**To:** [Light Valley Solar](#)  
**Cc:** [Shire Group Planning](#)  
**Subject:** EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 22 November 2024 08:57:56

---

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Good afternoon,

Thank you for your invitation to respond. The Selby Area IDB as a Consultee give the following comments/recommendations:

The Selby Area IDB should be consulted for any works affecting watercourses within their district, including but not limited to: discharge to a Watercourse & works to, in, on or under a Watercourse i.e. pipe/cable crossings. Also, our current guidelines for any increase in surface water discharge are as follows: -

If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

If surface water is to be directed to a mains sewer system the IDB would again have no objection in principle, providing that the Water Authority are satisfied that the existing system will accept this additional flow.

If the surface water is to be discharged to any ordinary watercourse within the Drainage District, Consent from the IDB would be required in addition to Planning Permission and would be restricted to 1.4 litres per second per hectare or greenfield runoff

No obstructions within 7 metres of the edge of an ordinary watercourse are permitted without Consent from the IDB.

If surface water or works are planned adjacent to a Main River within the Drainage District, then the Environment Agency should be contacted for any relevant Permits.

Recommendations:

- Should Consent be required from the IDB as described above, we would recommend that this is a PLANNING CONDITION of any PLANNING DECISION.
  - Reason: requirements of Land Drainage Act 1991 (as amended)
- PLANNING CONDITION for Larger Development: Should on-site SuDS or flow restriction be proposed as part of any larger development the IDB requests that those restricted flow measures or attenuation are put in place before occupancy and within 3 months of development progressing on site.
- Reason: not to increase flood risk downstream of sites during temporary works /

development.

- ANY surface water discharge into ANY watercourses in, on, under or near the site requires CONSENT from the Drainage Board.

For further guidance, pre-application advice & consent form visit: [www.shiregroup-idbs.gov.uk](http://www.shiregroup-idbs.gov.uk) and select 'Selby Area IDB'.

For direct enquiries e-mail: [planning@shiregroup-idbs.gov.uk](mailto:planning@shiregroup-idbs.gov.uk)

Kind regards,

**For and on behalf of the Shiregroup of Internal Drainage Board,**

**Adam Branston**

*Asset Manager & Consents Officer*

 [@shiregroup-idbs.gov.uk](mailto:adam.branston@shiregroup-idbs.gov.uk)

Consent Queries please re-direct to [Consents@shiregroup-idbs.gov.uk](mailto:Consents@shiregroup-idbs.gov.uk)

Planning Queries please re-direct to [Planning@shiregroup-idbs.gov.uk](mailto:Planning@shiregroup-idbs.gov.uk)

General Enquiries please re-direct to [info@shiregroup-idbs.gov.uk](mailto:info@shiregroup-idbs.gov.uk)

Accounts Enquiries please re-direct to [accounts@shiregroup-idbs.gov.uk](mailto:accounts@shiregroup-idbs.gov.uk)

**JBA Consulting, 3rd Floor, No.1 Whitehall Riverside, 1 Riverside Way, Leeds, West Yorkshire, LS1 4BN. Telephone: +441132452528**

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[www.shiregroup-idbs.gov.uk](http://www.shiregroup-idbs.gov.uk)



**From:** [michael michael](#)  
**To:** [Light Valley Solar](#)  
**Subject:** Scoping Opinion Consultation  
**Date:** 09 December 2024 10:00:28

---

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I write to you as the current chair of Skipwith Parish Council .Whilst the current advertised project is largely outside the Parish boundary the proposed cable corridor may well fall within the boundary to some degree.

Not surprisingly the scale of the proposed project for the area north of Selby alone has led to a sharp intake of breath by the community at large.

Having read the Phase One Consultation Feedback form made available in respect of the proposal it is the view of this Parish Council that as a minimum all the topics specified in question 4 of the document should be within the information to be provided within the E S . We ourselves would articulate the following,

In terms of land and soils challenge must be made regarding the indication given of the low quality level of soil for the Escrick area site

Perhaps of greater concern for our residents comes within the traffic and transport topic with particular reference to the construction phase . Whilst the obvious routes are the A64 and A 19 considerable use of the A63 is also likely to be a practical reality . In the case of the latter Skipwith village would be overwhelmed with further stress on the existing issues.

In terms of the natural world not only our own Skipwith Common but wildlife areas within Thorganby and Bubwith Ings are in habited by wildlife which most certainly travel across the proposed site.

In view of the above we place on record our wish to be a partner in the consultation process

Yours sincerely on behalf of SKIPWITH PARISH COUNCIL  
Michael Ward

**From:** [Merrills Amber](#)  
**To:** [Light Valley Solar](#)  
**Cc:** [BFS\\_CS](#)  
**Subject:** RE: Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 13 November 2024 09:34:38  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.jpg](#)  
[image007.png](#)  
[image008.png](#)  
[image002.png](#)

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Hi Deb,

Thank you for the information. As this site sits within North Yorkshire Fire and Rescue Services area, I have forward to them for consultation.

Kind Regards,

**Amber Merrills**

Senior Fire Safety Inspecting Officer  
Building Regulations and Complex Premises  
Business Fire Safety  
South Yorkshire Fire & Rescue  
[REDACTED]

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**From:** Light Valley Solar <[lightvalleysolar@planninginspectorate.gov.uk](mailto:lightvalleysolar@planninginspectorate.gov.uk)>

**Sent:** 11 November 2024 14:08

**Subject:** [External] EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the

Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate



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DPC:76616c646f72



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# UK Health Security Agency

Environmental Hazards and Emergencies Department  
Seaton House, City Link  
London Road  
Nottingham, NG2 4LA

[nsipconsultations@ukhsa.gov.uk](mailto:nsipconsultations@ukhsa.gov.uk)  
[www.gov.uk/ukhsa](http://www.gov.uk/ukhsa)

Your Ref: EN0110012  
Our Ref: CIRIS91336

Ms Deb Glassop  
EIA Advisor  
The Planning Inspectorate.  
Temple Quay House,  
2 the Square,  
Bristol BS1 6PN

5<sup>th</sup> December 2024

Dear Ms Glassop,

## **Nationally Significant Infrastructure Project Light Valley Solar (PINS Ref: EN0110012) Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups, and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following comments:

### **Environmental Public Health**

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES). We believe the summation of

relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions, and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

Yours sincerely,

On behalf of UK Health Security Agency

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

---

<sup>1</sup>  
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

**From:** [Ian Pollard](#)  
**To:** [Light Valley Solar](#)  
**Subject:** FW: EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation  
**Date:** 02 December 2024 16:21:20  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[Letter to stat.cons\\_Scoping & Req 11 Notification.pdf](#)

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Good afternoon

Thank you for the email below and attached letter dated 11 November 2024.

I confirm that following review, Wakefield Council do not wish to offer any comments relating to this scheme.

Kind regards

---

**Ian Pollard**  
**Service Manager**  
**Planning Services (Development Management & Building Control)**  
Wakefield Metropolitan District Council  
Wakefield One, Burton Street, Wakefield, WF1 2EB  
Tel: [REDACTED]  
Email: [REDACTED]@wakefield.gov.uk  
[www.wakefield.gov.uk](http://www.wakefield.gov.uk)

---

**From:** Light Valley Solar <[lightvalleysolar@planninginspectorate.gov.uk](mailto:lightvalleysolar@planninginspectorate.gov.uk)>  
**Sent:** 11 November 2024 15:59  
**To:** [developmentcontrol@lancaster.gov.uk](mailto:developmentcontrol@lancaster.gov.uk); [planning@pendle.gov.uk](mailto:planning@pendle.gov.uk); [planning@ribblesvalley.gov.uk](mailto:planning@ribblesvalley.gov.uk); [DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk); [planning@yorkshiredales.org.uk](mailto:planning@yorkshiredales.org.uk); [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk); [Planning.submissions@york.gov.uk](mailto:Planning.submissions@york.gov.uk); [TSI@doncaster.gov.uk](mailto:TSI@doncaster.gov.uk); Development Control <[Devcontrol@wakefield.gov.uk](mailto:Devcontrol@wakefield.gov.uk)>; [planningvalidation.bradford@bradford.gov.uk](mailto:planningvalidation.bradford@bradford.gov.uk); [planning.services@eden.gov.uk](mailto:planning.services@eden.gov.uk); [Planning.control@northyorks.gov.uk](mailto:Planning.control@northyorks.gov.uk); [planning@durham.gov.uk](mailto:planning@durham.gov.uk); [planning@darlington.gov.uk](mailto:planning@darlington.gov.uk); [planning@eastriding.gov.uk](mailto:planning@eastriding.gov.uk); [developmentcontrol@middlesbrough.gov.uk](mailto:developmentcontrol@middlesbrough.gov.uk); [Dec@leeds.gov.uk](mailto:Dec@leeds.gov.uk); [planning\\_admin@redcar-cleveland.gov.uk](mailto:planning_admin@redcar-cleveland.gov.uk); [planningdevelopmentservices@stockton.gov.uk](mailto:planningdevelopmentservices@stockton.gov.uk)  
**Subject:** EN0110012 - Light Valley Solar - EIA Scoping Notification and Consultation

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FAO Head of Planning

Dear Sir/Madam

Please see attached correspondence on the proposed Light Valley Solar Farm.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **9 December 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Deb Glassop.



**Deb Glassop | EIA Advisor**  
The Planning Inspectorate



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