Light Valley Solar

Planning Statement

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Light Valley
Solar

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009

Light Valley Solar

DCO Submission

Planning Statement

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1.1.2 National Policy Statement (NPS) EN-1 states "*the government's objectives for the energy system are to decarbonise power generation to meet the Clean Power 2030 Mission, ensuring our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios*". The NPS EN-1 goes on to note that a range of different types of energy infrastructure are required to deliver this (paragraph 3.2.1-2), and confirms that low carbon infrastructure such as solar power is critical national priority (CNP) infrastructure (paragraph 4.2.16-18). This means that if residual impacts remain after application of the mitigation hierarchy, the urgent need for solar and other forms of CNP infrastructure is likely to outweigh those residual impacts of development in all but the most exceptional circumstances (NPS EN-1 paragraph 4.1.7).

1.1.3 This Planning Statement has been prepared to accompany the application for a Development Consent Order (DCO) by Light Valley Solar Limited (the 'Applicant') for a Proposed Development in North Yorkshire, known as 'Light Valley Solar'. The DCO Application is to be made to the Secretary of State for the Department for Energy Security and Net Zero (the SoS), pursuant to the Planning Act 2008 (PA 2008).

1.1.4 The Proposed Development comprises a solar photovoltaic (PV) electricity generating station connecting over 100 megawatts (MW) to the Monk Fryston Substation, including associated development comprising Battery Energy Storage System (BESS), substations, grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance, and decommissioning phases.

1.1.5 The Location Plan [**EN0110012/APP/LVS/02.01**] identifies the spatial extent of the Proposed Development. The Order Limits cover a total area of 1,270 ha. The entirety of the Order Limits falls within the North Yorkshire Council (NYC) administrative area.

1.1.6 A general arrangement of how the Solar Development Sites (SDSs) may be developed is presented in the Illustrative Site Layout Plans (ES Volume 2) [**EN0110012/APP/LVS/06.02.02.01**] and in the Outline Environmental Masterplan [**EN0110012/APP/LVS/02.12**].

1.1.7 The area where the Proposed Development would be delivered has established capacity within the existing electrical grid infrastructure, supported by a well-developed transmission network capable of receiving and distributing the electricity generated to where it is needed. Together, these enable the efficient

connection of new generation assets (such as the Proposed Development) and the reliable transfer of electricity from the point of generation to areas of demand.

1.1.8 The Proposed Development is categorised as 'Schedule 2 EIA development' under paragraph 3(a) of Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (hereafter "the EIA Regulations") (Ref 5), as it comprises 'industrial installations for the production of electricity, steam and hot water'. An Environmental Statement (ES) has been prepared and submitted with the DCO Application.

1.1.9 The DCO Application has been prepared and assessed in accordance with Section 104 of the Planning Act 2008. The Secretary of State is required to determine the application in line with the relevant NPSs unless one or more of the statutory exceptions apply, which in the case of the Proposed Development is not applicable. The Proposed Development is also consistent with the National Planning Policy Framework and relevant local planning policies, with full regard given to other material considerations.

1.1.10 In preparing the Proposed Development for DCO Application, the Applicant has carried out extensive consultation including two rounds of public consultation, Design Workshops with local representatives, plus facilitated regular and ongoing dialogue with Statutory Engagement Bodies.

1.1.11 The Applicant followed a robust environmentally led design process taking account of the mitigation hierarchy. As the design has evolved, effects considered in the EIA have been avoided from the outset where possible, where further effects have been identified it has been possible to demonstrate that they can be reduced where practicable, through measures that form part of the design, or through application of methods for construction, operation and decommissioning ('embedded mitigation').

1.1.12 As a result of embedded mitigation measures, very few residual adverse effects have been identified, and compensation is not considered to be necessary. The residual adverse effects which include: temporary long term significant effects on Grade 1 and 2 agricultural land; possible biodiversity effects at decommissioning caused by reversion of grassland habitat to cropland; landscape character alterations and visual effects on a small number of locations; and cumulative landscape and visual impacts due to the size of other developments. These potential significant effects have all been assessed according to the worst-case scenario.

1.1.13 In the context of CNP Infrastructure and NPS EN-1 paragraph 4.1.7, it is the considered view of the Applicant that no residual impacts that would present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or onshore flood risk remain after application of the mitigation hierarchy.

1.1.14 As the Proposed Development has been established as CNP Infrastructure, the residual adverse effects identified through the EIA process are considered to be outweighed by the need for, and benefits arising from, the Proposed Development.

1.1.15 The Proposed Development will deliver its grid connection offer of 500 MW of renewable electricity, including storage capacity, supporting the UK's Clean Power 2030 Action Plan and Net Zero 2050 target. It will make a significant contribution to national decarbonisation, energy security, and the resilience of the electricity system. The integration of battery energy storage maximises land use efficiency and aligns with government policy to support co-located renewable and storage infrastructure.

1.1.16 The Proposed Development is expected to generate 520 net construction jobs over the 36 months, accounting for displacement and multiplier effects. Of these jobs, it is estimated that 260 would be retained within the Study Area. This employment creation, though identified as beneficial, is not considered to be significant in EIA terms given the relatively short period of construction.

1.1.17 By switching from arable agricultural use to solar, including some pasture, the Proposed Development will deliver long term improvements to soil quality. Where works would have effects on soils, measures for soil stripping, effective storage and reinstatement are set out in the Outline Soil Resources Management Plan.

1.1.18 Biodiversity net gain would be secured potentially equating to 78.30% for habitat units, 72.12% for hedgerow units and 10.42% for watercourse units, significantly in excess of the 10% net gain standard.

1.1.19 Alongside BNG, the Proposed Development will help to restore landscapes through measures including planting to repair and reinforce existing vegetation patterns, along with new habitat creation to support protected species. A substantial Bird Mitigation Area (BMA) for wintering non-breeding birds is proposed that will deliver additional benefits by creating an extensive undisturbed habitat for other species including breeding birds.

1.1.20 The Proposed Development has also been carefully designed to avoid loss of irreplaceable habitats, including ancient woodland and veteran trees, as per the findings of the Arboricultural Impact Assessment (AIA).

1.1.21 At the local level, the Proposed Development will enhance the landscape through extensive planting. It will also deliver sustainable changes to three Public Rights of Way and create, for the duration of the Proposed Development, improved access to nature and recreational opportunities locally by the creation of new permissive paths.

1.1.22 In summary, the Proposed Development is policy compliant, environmentally responsible, and delivers significant public and national benefits. It will provide critical infrastructure to help meet the UK's climate and energy goals, while managing local impacts with care and delivering lasting value to the community and environment. The Applicant respectfully requests that the Planning Inspectorate recommend, and the Secretary of State grant, development consent for the Proposed Development.

2 Introduction

2.1 Overview

2.1.1 This Planning Statement has been prepared to accompany an application for a Development Consent Order (DCO) (the DCO Application) by Light Valley Solar Limited (the 'Applicant') for Light Valley Solar. The DCO Application is to be made to the Secretary of State for the Department for Energy Security and Net Zero (SoS), pursuant to the Planning Act 2008 (PA 2008) (Ref 1).

2.1.2 The Proposed Development, subject of the DCO Application, comprises a solar photovoltaic (PV) electricity generating station connecting over 100 megawatts (MW) to the Monk Fryston Substation, including associated development comprising Battery Energy Storage System (BESS), substations, grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance, and decommissioning phases. A general arrangement of how the Solar Development Sites (SDSs) may be developed is presented in the Figure 2.1: Illustrative Site Layout Plans (ES Volume 2) [**EN0110012/APP/LVS/06.02.02.01**] and in the Outline Environmental Masterplan [**EN0110012/APP/LVS/02.12**].

2.1.3 The Proposed Development is located is an area with established capacity within the existing electrical grid infrastructure, which is supported by a well-developed transmission network capable of receiving and distributing the electricity generated to where it is needed. Together, these enable the efficient connection of new generation assets (such as the Proposed Development) and the reliable transfer of electricity from the point of generation to areas of demand. This region also benefits from a strong legacy of large-scale power generation, historically provided by power stations such as those at Eggborough and Ferrybridge, which ceased operation in 2018 and 2016 respectively.

2.1.4 Under Section 104 of the PA 2008, the Secretary of State (SoS) is directed to determine a DCO Application with regard to the relevant National Policy Statements (NPS), the local impact report, matters prescribed in relation to the Proposed Development, and any other matters regarded by the SoS as important and relevant. Following their designation on 6 January 2026, the three NPSs considered to be 'relevant' are:

1. EN-1 Overarching National Policy Statement for Energy (NPS EN-1) (Ref 2);
2. EN-3 National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) (Ref 3); and
3. EN-5 National Policy Statement for Electricity Network Infrastructure (NPS EN-5) (Ref 4).

2.1.5 Other national and local planning policy will be regarded by the SoS as 'important and relevant' to the Proposed Development. An explanation of the planning policy framework relevant to the Proposed Development is provided in **Section 6** of this statement.

2.1.6 The Applicant is part of Island Green Power ('IGP'), a leading international developer of renewable energy projects. IGP has a track record in developing more than 3 Gigawatts of renewable assets and has recently secured consent for two Nationally Significant Infrastructure Projects (NSIPs) for solar through the DCO regime in the UK.

2.1.7 The Location Plan [**EN0110012/APP/LVS/02.01**] identifies the spatial extent of the Proposed Development. The Order Limits cover a total area of 1,270 ha. The entirety of the Order Limits falls within the North Yorkshire Council (NYC) administrative area.

2.1.8 The Proposed Development is categorised as 'Schedule 2 EIA development' under paragraph 3(a) of Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (hereafter "the EIA Regulations") (Ref 5), as it comprises 'industrial installations for the production of electricity, steam and hot water'. An ES has been prepared and is submitted with the DCO Application.

2.1.9 A short description of the proposed site and surrounding area is provided in **Section 3** of this Planning Statement. **Section 4** describes the Proposed Development. A fully detailed description is provided in Volume 1 of the Environmental Statement (ES) Chapter 2: Project Description (ES Volume 1) [**EN0110012/APP/LVS/06.01.02**]. Key terms used in this document are presented in a Glossary in **Section 9**.

2.1.10 All reports and plans accompanying the DCO Application are set out in the Guide to the Application [**EN011012/APP/LVS/01.03**].

2.1.11 The DCO Application is also supported by a Site Selection Report [**EN0110012/APP/LVS/06.03.03.01**] which sets out the process for finding the Proposed Development site and the assessment undertaken in this process.

2.2 Need for Development

2.2.1 Urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation is a critical part of the UK's strategy to achieve net zero by 2050.

2.2.2 NPS EN-1 demonstrates the urgent need for nationally significant renewable energy projects such as the Proposed Development. The need, and presumption in favour of granting development consent, is set out in Part 3 of NPS EN-1. Paragraph 3.2.1 which states *"the government's objectives for the energy system are to decarbonise power generation to meet the Clean Power 2030 Mission, ensuring our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios"* and goes on to note that a range of different types of energy infrastructure are required to deliver this (paragraph 3.2.1-2).

2.2.3 NPS EN-1 sets out that low carbon infrastructure such as solar power has been identified as critical national priority (CNP) infrastructure (paragraph 4.2.16-18). This means that if residual impacts remain after application of the mitigation

hierarchy, the urgent need for solar and other forms of CNP infrastructure is likely to outweigh those residual impacts of development in all but the most exceptional circumstances (paragraph 4.1.7).

2.2.4 A detailed Statement of Need (SoN) [**EN0110012/APP/LVS/05.03**] has been prepared and submitted in support of the DCO Application alongside this Planning Statement. The SoN sets out the national planning policies and government policy papers that support the need to address the urgent national requirement for new low carbon electricity generation and storage and demonstrates how the Proposed Development responds to this need.

2.2.5 The SoN confirms that the Proposed Development aligns with the UK Government's Clean Power 2030 Action Plan and legally binding Net Zero 2050 target. It draws on the latest relevant NPSs (EN-1, EN-3, EN-5), the Climate Change Committee's 2025 Progress Report, and the National Energy System Operator's Future Energy Scenarios to evidence the critical role of solar and storage projects such as the Proposed Development in decarbonising the UK's electricity system.

2.2.6 The SoN concludes that, in line with the principles set out in the relevant NPSs, the Proposed Development is a vital and timely contribution to meeting the UK's decarbonisation, energy security, and affordability objectives, and should be supported accordingly.

2.3 Purpose of the Planning Statement

2.3.1 This Planning Statement presents the planning case for the Proposed Development in the context of relevant legislation and policy. Specifically, it:

1. Describes the Proposed Development in the context of the Order Limits and its surroundings;
2. Sets out an assessment of the Proposed Development against the relevant national and local planning policy framework;
3. Identifies and considers other important and relevant considerations that may inform the decision-making process, including environmental, technical, and community factors; and
4. Presents the planning balance, weighing the need for, and benefits of, the Proposed Development against any identified potential adverse impacts.

2.3.2 This Planning Statement should be read alongside the Policy Compliance Document [**EN0110012/APP/LVS/05.12**] which presents a full schedule of relevant policy and how each has been addressed by the Applicant's Proposed Development.

2.4 Report Structure

2.4.1 The remainder of the Planning Statement is structured as follows:

1. **Section 3** – Existing Site and Surrounding Area: describes the SDSs, including their wider context, and summarises the process of selecting the Proposed Development's location. An overview of relevant planning history

within each SDS can be found in Planning Statement Appendix 1: Planning History [**EN0110012/APP/LVS/05.02.01**].

2. **Section 4** – Proposed Development: provides an overview of the Proposed Development and its component parts.
3. **Section 5** – Engagement: sets out the Applicant's key engagement to date and how it has helped inform the Proposed Development.
4. **Section 6** – Legislative and Policy Context: sets out the relevant legislative and policy for the DCO Application.
5. **Section 7** – Planning Assessment: provides an assessment of the Proposed Development and demonstrates compliance with policy direction and requirements, as outlined within the relevant NPSs and other relevant policy documents, the Applicant considers may be both important and relevant.
6. **Section 8** – Conclusion and Planning Balance.

3 Existing Site and Surrounding Area

3.1 Introduction

3.1.1 Figure 1.2 Elements of the Proposed Development [**EN0110012/APP/LVS/06.02.01.02**] presents: the SDS Area (900 ha); the Cable Route Corridor (CRC) Area (329 ha); the Highways Improvement Areas (17 ha); and the Site 8 Access Area (24 ha). Together, they comprise a total area of 1,270 ha. (note areas have been rounded to the nearest whole number).

3.1.2 The entirety of the Order Limits is within the administrative area of NYC and comprises predominantly agricultural land between the villages of Escrick, Monk Fryston, Hambleton and South Milford.

3.1.3 The site descriptions below include high level information about area, locations, land uses (where not in agricultural use) including Public Rights of Way, flood risk, other on-site infrastructure and adjacent properties.

3.2 Solar Development Site 1

3.2.1 SDS 1 is 344.8 ha. It is the northernmost of the proposed SDSs, located approximately 575 m east of Escrick village and 9 km south of York. It lies around 20 km north-east of Monk Fryston Substation. The Escrick Conservation Area lies approx. 270 m north-west of the Solar Development Site boundary.

3.2.2 There are two areas of ancient woodland (identified from Natural England's Ancient Woodland Inventory) directly adjacent to the eastern boundary of SDS 1, known as Gilbertson's Wood.

3.2.3 The Lower Derwent Valley group of designated sites including Ramsar, Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) are located approximately 2.8 km east of the Order limits for SDS 1. Skipwith Common SAC, SSSI and NNR are located approximately 2.4 km to the south-east. There are SSSI Impact Risk Zones (IRZ) for Derwent Ings SSSI within the Solar Development Site.

3.2.4 SDS 1 is within Flood Zone 1, 2 and 3. The site is at risk of fluvial and groundwater flooding. Several Internal Drainage Board (IDB) and ordinary watercourses traverse the site.

3.2.5 Two large-diameter Yorkshire Water mains cross to the south. A 33kV overhead line runs along the eastern boundary. An 11kV overhead line crosses from Wheldrake Lane (north) to Skipwith Road (west), with three connections to properties and a wind turbine.

3.2.6 There are numerous farm buildings excluded from the Order Limits in close proximity to the Proposed Development including Tileshed Farm, Manor Farm and Mount Pleasant Farm. There are three PRoWs within the SDS.

3.3 Solar Development Site 2

3.3.1 SDS 2 is 83.3 ha. It borders the east-bound carriageway of the A63 and Fryston Common Lane cuts through the north of the SDS. The site is approximately 1.5 km east of Monk Fryston village and 1.2 km west of Hambleton. The site is partially within the West Yorkshire Green Belt (Selby Local Plan 2013) (Ref 6) (Plate 7-1).

3.3.2 The site is predominantly in Flood Risk Zone 1, with a small area at the south eastern corner in Flood Risk Zone 3. Several Selby Area IDB watercourses, ordinary watercourses and unnamed watercourses are present in the site, including Fleet Dike and Causeway Dyke.

3.3.3 An overhead 132kV line crosses the south east corner, and an overhead 11kV line is routed north south adjacent to an unnamed road running through the centre of the site. Three large diameter Yorkshire Water mains cross the site in roughly east west orientations.

3.3.4 Siddle Farm House, Fryston Common Farm and Oak Tree Farm buildings are adjacent to the site.

3.4 Solar Development Site 3

3.4.1 SDS 3 is 19.9 ha. It is approximately 850 m east of Hillam village and entirely within the within the West Yorkshire Green Belt (Selby Local Plan 2013) (Ref 6) (Plate 7-1).

3.4.2 Hillam Common Lane runs along the northern perimeter of the site with Woodlands Lane running along the south.

3.4.3 The site is wholly within Flood Risk Zone 2 and at medium risk of flooding. There are Selby Area IDB watercourses, ordinary watercourses and unnamed watercourses present in and around the site, including Maspin Moor Drain.

3.4.4 There are no residential or farm buildings immediately adjacent to SDS 3.

3.5 Solar Development Site 4

3.5.1 SDS 4 is 283.8 ha and located approximately 280 m north-east of the junction of Main Street, Roe Lane and Haddlesey Road in Birkin. It is partially within the West Yorkshire Green Belt (Selby Local Plan 2013) (Ref 6) (Plate 7-1).

3.5.2 The site within Flood Risk Zones 2 and 3 with parts of the site at high risk of fluvial flooding. Several Selby Area IDB watercourses, ordinary watercourses and unnamed watercourses are present in and around the site, including Moor Drain, Maspin Moor Drain, Mearley Drain and Fleet Drain.

3.5.3 A high-pressure gas transmission main runs through the centre of the site (approximately east to west). National Grid and Northern Power Grid overhead high voltage power lines cross the site (north west to south east). There are several lengths of overhead 11kV lines in the south and centre of the site.

3.5.4 Bowers House Farm and Woodhouse Farm are within by the SDS (outside of the Order Limits). Birkin House (Grade II Listed) is approximately 90 m south-west. There are three PRoWs through the site.

3.6 Solar Development Site 5

3.6.1 SDS 5, as presented at Scoping and at Non-Statutory Consultation, has been removed from the Proposed Development. Chapter 3: Alternatives and Design Iteration (ES Volume 1) [**EN0110012/APP/LVS/06.01.03**] sets out the alternatives that have been considered for the Proposed Development and the design evolution in relation to the Proposed Development so far.

3.7 Solar Development Site 6

3.7.1 SDS 6 is 99.6 ha. It is located approximately 500 m north of Monk Fryston and 540 m east of South Milford. The Milford Curve rail line runs along the western edge slewing north and east to join the Leeds to Selby Line (HUL3) to the north.

3.7.2 Common Lane runs through the site, and Turpin Lane, off Common Lane, runs south alongside the Milford Curve rail line turning east before continuing south towards Ingthorne Lane. Sherburn in Elmet Airfield is located approximately 0.6 km north of the site.

3.7.3 The site is predominantly in Flood Risk Zone 1, with areas of Flood Risk 2 and 3 at Lumby Common, a Selby Area IDB watercourse, which runs through the southern section of the site.

3.7.4 There are several lengths of overhead 11kV lines running through the site and Northern Power/Northern Power Grid LV lines on the site boundary.

3.7.5 Milford Lodge Cottage, Milford Farm on Common Lane are to the north of the site and there is another farmstead on Tupin Lane.

3.8 Solar Development Site 7

3.8.1 SDS 7 is 8.7 ha. It is located approximately 510 m east of South Milford. Normanton and Colton Junction railway line runs to the west and the Leeds to Selby railway (HUL3) runs adjacent to the northern edge. Common Lane runs along the southern edge of the site.

3.8.2 The site is wholly within Flood Risk Zone 1. An unnamed drain runs adjacent to the eastern boundary of the site.

3.8.3 Network Rail sewers and BT Openreach lines run along the site boundaries.

3.8.4 Woodhaven Boarding Kennels and a residential property are surrounded by the to the south on Common Lane, a riding paddock and an anaerobic digestion plan are located to the south on Common Land and Turpin Lane respectively.

3.9 Solar Development Site 8

3.9.1 SDS 8 is 60.0 ha. It is less than 1 km from Hambleton Village. The southern edge of the site runs adjacent to the Leeds to Selby (HUL3) railway line. Philip Lane runs adjacent to the eastern edge of the site. The site can only be accessed by crossing the railway line at either Philip Lane level crossing (a private user worked crossing with miniature stop lights) or Scalm Lane level crossing (also a private user worked crossing with miniature stop lights). Both crossings are also public footpaths.

3.9.2 The site is predominantly in Flood Risk Zone 1 with northern and western boundaries in Flood Zone 2. Habholme Dike runs adjacent to the western edge of the site, and an unnamed drain runs to the east of the site. Selby Dam is located to the north.

3.9.3 There are several lengths of overhead 11kV and 33kV lines running through the site and other Northern Power Grid lines running along the site boundary.

3.9.4 There are no properties immediately adjacent to SDS 8. However, there is a farmstead plus a standalone residential property on the approach track to the north of the site. A Public Right of Way runs north west along the eastern edge of the site within the Order Limits.

3.10 Cable Route Corridor

3.10.1 The CRC is a total area of approximately 328.5 ha. It comprises nine CRC segments connecting all SDSs and Monk Fryston Substation.

3.10.2 The land uses within the CRC are predominantly agricultural land. The CRC is crossed by other linear features including highways (including the A19 and A63), railway lines and the River Ouse. Table 3-1Table 3-1 below provides further detail.

Table 3-1 Summary of Cable Route Corridor segments

CRC segment references	Location	Length (approximate)
CRC 1-4	SDS 1 to SDS 4, crossing the A19, the River Ouse, Selby Dam, National Rail lines, the A63 and other smaller roads	19 km
CRC 1-4a (alternative)	SDS 1 to SDS 4 and crosses over Fox Lane and Hillam Common Lane (considered as an alternative to CRC 1-4)	1.6 km
CRC 2-4	SDS 2 to SDS 4 and crosses over the A63 and Hillam Common Lane	1.4 km
CRC 2-6	SDS 2 to SDS 6, crossing over Fryston Common Lane	1.5 km
CRC 3-4	SDS 3 to SDS 4, through single agricultural field with no water or road/rail crossings	437 m
CRC 3-4a (alternative)	SDS 3 to SDS 4 and crosses Stocking Lane (considered as an alternative to CRC 3-4)	726 m

CRC 6-7	SDS 6 to SDS 7 and crosses over The Old Stables, National Rail lines and Common Lane	148 m
CRC 2-8	SDS 2 to SDS 8 and crosses over the Leeds to Selby Line (HUL3) railway line and Common Lane	1.4 km
CC 4-POC	Monk Fryston substation to SDS 4 and crosses over the A162, National Rail lines, Hillam Lane and Fairfield Lane	4.9 km

3.11 Highway Improvement Areas

3.11.1 The Applicant will be accessing the Proposed Development using the existing highway network. In some locations to enable safe access and movement, temporary changes to the highway and or highway verges will be required. The full extent of the HIAs is shown in ES, Volume 1 Figure 1-2 [**EN0110012/APP/LVS/06.02.01.02**], 'Elements of the Proposed Development'.

3.11.2 The HIAs include three areas of Village Greens: Mount Pleasant recreation Ground (ES Figure 13.1 ref 36 south east of Riccall Village); Gateforth Green (ES Figure 13.1 ref 37 north west of Skipwith Village); and the Village Green, Skipwith (ES Figure 13.1 ref 38, south east of Skipwith Village) [**EN011001/APP/LVS/06.02.13.01.03**]. The areas can also be seen on the Land, Crown Land and Special Category Land Plans [**EN0110012/APP/LVS/02.02**].

3.11.3 These area are required to enable safe access and movement and will not contain any permanent infrastructure. Further information regarding scope of works affecting Village Greens, potential impacts and proposed management is set out in Section 7.18.

4 Proposed Development

4.1 Introduction

4.1.1 The Proposed Development comprises a solar photovoltaic (PV) electricity generating station of over 100 megawatts (MW) and associated development comprising a Battery Energy Storage System (BESS), substations, grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance, and decommissioning phases.

4.1.2 The general arrangement, presenting a potential layout for the SDSs when applying the secured parameters shown on the Works Plans and explained in the Design Parameters and Commitments document [**EN0110012/APP/LVS/05.06**], is presented in the Figure 2.1: Illustrative Site Layout Plans (ES Volume 2) [**EN0110012/APP/LVS/06.02.02.01**] and in the illustrative Outline Environmental Masterplan [**EN0110012/APP/LVS/02.12**].

4.1.3 This Section of the Planning Statement introduces the Proposed Development including the Applicant's Project Objectives which have, alongside national and local policy, guided the evolution of the Proposed Development, and a short explanation regarding generating capacity. It also provides a short description of the proposed works across the SDSs, CRC, HIA and Site 8 Access. A more comprehensive description is available in Chapter 2: Proposed Development (ES Volume 1) [**EN0110012/APP/LVS/06.01.02**].

4.2 Project Objectives

4.2.1 The Applicant's Project Objectives have been utilised throughout the evolution of the Proposed Development, including through site selection and design development. They are as follows:

1. Objective 1: A solar farm and battery scheme that will support the decarbonisation and security of the UK's energy supply by maximising its clean energy generation potential.
2. Objective 2: A solar farm and battery scheme which will be deliverable in a timely manner in line with the grid connection date and which supports the objectives of the Clean Power 2030 Action Plan.
3. Objective 3: A solar farm and battery scheme which supports through flexibility future technological advancement to deliver an optimal and efficient use of grid connection capacity.
4. Objective 4: A solar farm and battery scheme which is able to deliver on its environmental mitigation requirements and deliver community benefits.
5. Objective 5: A solar farm and battery scheme which supports the on-going agricultural economy in North Yorkshire.

4.3 Generating Capacity

4.3.1 The Applicant has entered into a connection agreement with National Grid for the export and import of 500 MW of electricity at Monk Fryston. Provision has been made in the Proposed Development's design for 'overplanting' of the solar panel arrays to ensure that the Proposed Development can maximise its clean energy generation potential.

4.3.2 Paragraph 2.10.47 of NPS EN-3 (Ref 3) in the context of generating capacity of solar development, notes that capacity "*will decline over time in correlation with the reduction in panel array efficiency*" and that applicants "*may account for this by overplanting solar panel arrays*".

4.3.3 NPS EN-3 footnote 98 explains that overplanting enables the use of the grid connection to be maximised across the lifetime of the Proposed Development and as such "*reasonable overplanting should be considered acceptable in a planning context so long as it can be justified and the electricity export does not exceed the relevant NSIP installed capacity threshold throughout the operational lifetime of the site and the proposed development and its impacts are assessed through the planning process on the basis of its full extent, including any overplanting*".

4.3.4 Regarding these tests, in the context of the Proposed Development:

1. Overplanting is justified in that it contributes to ensuring a consistent supply of electricity to the National Grid throughout its lifetime where panel degradation takes place, and where panel performance may vary due to factors such as shading and fluctuating sunlight levels – this is discussed further in the Statement of Need [**EN0110012/APP/LVS/05.03**];
2. Overplanting is accounted for in the limits of deviation presented on the Works Plans submitted as part of the DCO Application [**EN0110012/APP/LVS/02.03**]. The Environmental Impact Assessment (EIA) of the Proposed Development is based on these limits of deviation and parameters. These limits of deviation and parameters have been considered in detail by technical authors as part of the EIA to ensure the realistic worst-case effects of the Proposed Development are assessed for each potential receptor. The parameters are reported in full in the Design Parameters and Commitments document [**EN0110012/APP/LVS/05.06**].

4.4 Solar Development Sites and Cable Route Corridor

4.4.1 Table 4-1Table 4-1 describes the infrastructure across each of the seven SDSs and the CRC. It provides a useful reference point for the remainder of this Planning Statement.

Table 4-1 Proposed Development (permanent works) per Solar Development Site and Cable Route Corridor segment

SDS	Proposed Development
All SDS	▪ Solar PV modules and mounting structures (tracking and or fixed)

SDS	Proposed Development
	▪ Integrated or Disaggregated Conversion Units containing inverters, transformers and switchgear ▪ 33kV switch rooms (metal containers which for the purposes of the application are assumed to be interchangeable with the 'Integrated Conversion Units' (ICUs)) and associated parking ▪ Underground electrical cabling between Integrated Conversion Unit, extending to the sub-station at SDS 2Spare parts storage buildings or enclosures and back-up generators ▪ Perimeter fencing (deer wire mesh with wooden posts) ▪ Closed-circuit television (CCTV) camera system mounted on posts ▪ Access Tracks
SDS 1	▪ Up to 275 kV Substation compound with palisade fencing and associated parking ▪ Control building including extra high voltage (EHV) switchgear and control equipment (housed inside a building) ▪ Transformers ▪ Onsite underground electrical cabling between Integrated Conversion Units and the 275 kV Substation
SDS 2	▪ BESS Compound with palisade fencing and noise barrier ▪ Up to 275 kV Substation compound with palisade fencing and associated parking ▪ Control building including extra high voltage (EHV) switchgear and control equipment (housed inside a building) ▪ Transformers ▪ Onsite underground electrical cabling between Integrated Conversion Unit and the 275 kV Substation
SDS 3	▪ Onsite underground electrical cabling between Integrated Conversion Unit, extending to the Substation at SDS 4.
SDS 4	▪ 275 kV Substation compound with palisade fencing and associated parking ▪ Control building including extra high voltage (EHV) switchgear and control equipment (housed inside a building) ▪ Transformers ▪ Onsite underground electrical cabling between Integrated Conversion Unit and the 275 kV Substation
SDS 6	▪ Underground electrical cabling between Integrated Conversion Unit, extending to the sub-station at SDS 2
SDS 7	▪ Underground electrical cabling between Integrated Conversion Unit, extending to the sub-station at SDS 2
SDS 8	▪ Underground electrical cabling between Integrated Conversion Unit, extending to the sub-station at SDS 4 ▪ Access Tracks including SDS 8 Access (see **Section** Error! Reference source not found.)
CRC 1-4	▪ 1 x up to 275 kV circuit
CRC 1-4a	▪ 1 x up to 275 kV circuit
CRC2-4	▪ 2 x up to 275 kV or 9 x 33 kV plus 1 x up to 275 kV
CRC 3-4	▪ 1 x 33 kV circuit
CRC 2-6	▪ 4 x 33 kV circuit

SDS	Proposed Development
CRC 2-8	▪ 3 x 33 kV circuit
CRC 6-7	▪ 1 x 33 kV circuit
CRC4-POC (point of connection)	▪ 1 x 275 kV circuit
POC at Monk Fryston Substation	Populating the bay into the existing Substation with connections to the existing Bus bars

4.5 Construction Compounds

4.5.1 Temporary construction compounds would be established within the Solar Development Sites ('Solar Development Site Construction Compounds') and along the Cable Route Corridor ('Cable Construction Compounds'). These are shown on the Works Plans [**EN0110012/APP/LVS/02.03**] as Works No. 7 as per the draft DCO Schedule 1 [**EN0110012/APP/LVS/03.01**].

4.5.2 Each temporary construction compound will be a gated facility comprising:

1. Portacabins for construction operatives;
2. Perimeter security fencing;
3. Parking areas;
4. Secure storage;
5. Temporary hardstanding;
6. Wheel washing facilities;
7. Bins for materials storage, recyclables and other waste; and
8. Lighting.

4.5.3 Table 4-2 provides a summary of the proposed construction compound locations and their respective site areas.

Table 4-2 Summary of construction compound locations and maximum areas

Construction Compound reference	Location	Maximum Area within which compound would be located
Solar Development Site 1 Construction Compound A	Situated east of Esterbry's Plantation	2.33 ha
Solar Development Site 1 Construction Compound B	Situated at SDS 1 access point 2 off Skipwith Road, west of Mount Pleasant Farm	1.84 ha
Solar Development Site 2 Construction Compound	Situated in the field on the western (Field 2.4) side of the access road off the A63	1.83 ha
Solar Development Site 4 Construction Compound A	Situated off Roe Lane, adjacent west of the Proposed 275 kV Substation in the north western part of SDS 4	3.69 ha

Solar Development Site 4 Construction Compound B	Situated east of the Proposed 275 kV Substation, adjacent to an existing Biomass operation, within the northern part of SDS 4	1.89 ha
Solar Development Site 4 Construction Compound C	Situated off Haddlesey Road in the southern part of SDS 4	1.88 ha
Solar Development Site 6 Construction Compound	Situated off Common Lane, south of Milford Common Drain and west of Lumby Common Drain	1.90 ha
Solar Development Site 8 Construction Compound	Situated off Phillip Lane, to the east of SDS 8	1.83 ha
Cable Construction Compound 1	Situated along CRC1-4, approximately 975 m north of Thorpe Willoughby	4.4 ha
Cable Construction Compound 2	Situated along CRC 1-4, approximately 700 m north of Selby, to the south of the River Ouse	2.1 ha
Cable Construction Compound 3	Situated along CRC1-4, approximately 165 m east of Riccall	1.86 ha
Cable Construction Compound 4	Situated along CRC1-4, approximately 445 m south of Hambleton	3.0 ha
Cable Construction Compound 5	Situated along CRC-POC approximately 525 m south of Hillam	1.86 ha
Cable Construction Compound 6	Within site 2, south eastern quadrant accessed off the A63	1.9 ha

4.5.4 There would also be temporary laydown areas progressively established across the Solar Development Sites and CRC. These may be located anywhere. The purpose of these is to service local works. This includes but is not limited to storage for materials, fuel, and equipment, as well as welfare facilities and office space.

4.5.5 Upon completion of construction, the compound/laydown areas within the SDSs will be removed and the land reinstated unless to be used for other solar infrastructure as outlined on the Works Plans [**EN0110012/APP/LVS/02.03**].

4.6 Highway Improvement Areas

4.6.1 Highways Improvements Areas (HIAs) (refer to ES Volume 2, Figure 1.2 [**EN0110012/APP/LVS/06.02.01.02**] are sections of the highway network that will contain localised improvements. These may include improvements to the road edge where it is deteriorated, provision of temporary passing places within the existing highways boundaries and creation of temporary and permanent visibility splays. In the HIAs there may also be provisions for traffic management, and temporary highway and traffic management works necessary to safely accommodate Abnormal Indivisible Load (AIL) deliveries.

4.6.2 These areas will support the movement of construction vehicles on narrower sections of the local highway network within parts of the construction vehicle

routes to the Site (refer to Chapter 14: Traffic and Movement (ES Volume 1) [**EN0110012/APP/LVS/06.01.14**]).

4.7 Solar Development Site 8 Access

4.7.1 Solar Development Site 8 is bordered to the south by a railway line. Currently access to Site 8 is located on the eastern boundary of the site, via a level crossing on Phillip Lane. This access is feasible for use for the Proposed Development, including HGVs. Whilst Network Rail has indicated that this may be acceptable, the Applicant is conscious that the railway is a live operational asset and circumstances at the time of construction (such as railway works) may mean that timely access may not be practical when it is needed. The Order limits therefore allow for alternative accesses into SDS 8 to ensure that access can be taken at all times, including by avoiding crossing the railway if necessary.

4.7.2 The alternative access road may require a new culvert on one moderate value watercourse, Habholme Dike. Additionally, there is an existing crossing over Selby Dam, a high value watercourse. The condition of the Selby Dam culvert is not known at present. As a worst-case scenario, the existing culvert may need to be removed and replaced with a new crossing structure. During the replacement of the culvert (if required) a temporary crossing structure would be installed to maintain current access provision. If a temporary crossing structure is required, this will be in place for less than six months.

4.8 Project Life Cycle

4.8.1 The Project life cycle is set out below in three parts: construction, operation and decommissioning. A full explanation is set out in Chapter 2: Proposed Development (ES Volume 1) [**EN0110012/APP/LVS/06.01.02**].

Construction

4.8.2 Subject to being granted development consent and following a final investment decision, the earliest construction start is expected to be late 2028. It is estimated that the construction period would require approximately 24-36 months in total.

4.8.3 Construction work is unlikely to start on the SDSs in all locations at the same time. Each SDS and CRC segment would likely require different construction duration given their variable sizes. Some overlap between construction of the SDSs and the CRC segments is expected, with multiple teams spread across the extent of the Proposed Development site.

4.8.4 Construction work is unlikely to start on the SDSs in all locations at the same time. Each individual SDS 1-4 and 6-8 and the CRCs would likely require different lengths of construction given their variance in size, and therefore there would be some overlap between them. Construction works within the CRC would commence with multiple teams spread along the route.

4.8.5 A section of CRC 1-4 (between SDS 1 and SDS 4) and parts of SDS 1 identified for non-breeding bird mitigation and enhancement (see Outline Environmental

Masterplan [**EN0110012/APP/LVS/02.12**]). Construction works to the Bird Mitigation Area (BMA) will be undertaken between the beginning of April and the end of August to ensure the safeguarding of the non-breeding period as informed through the surveys undertaken by the Applicant (see Appendix 12.2: Non-breeding Bird Survey Report (ES Volume 3) [**EN0110012/LVS/APP/06.03.12.2**].

Operation

4.8.6 The Applicant is seeking a time-limited consent with respect to the operation of the Proposed Development, which will start from the date of the final commissioning phase of the Proposed Development.

4.8.7 The operational life of the Proposed Development will be up to 60 years. During the operational phase, there will be a requirement for periodic replacement of electrical equipment. It is further expected that there will be a programme of infrastructure replacement activities, staged to maintain electrical export to the National Grid, as equipment efficiency and technology will change over the life of the project.

Decommissioning

4.8.8 After operation has ceased the Proposed Development would be decommissioned. Decommissioning may take up to 24 months.

4.8.9 Including the likely duration of the construction and decommissioning phases, the land would be required for the Proposed Development for up to approximately 65 years in total.

5 Engagement

5.1 Pre-application Consultation

5.1.1 The Applicant has undertaken continuous and proactive engagement with a wide range of stakeholders throughout the pre-application phase. This engagement has not been limited to formal consultation periods but has comprised an ongoing process of dialogue, information sharing, and feedback collection to inform the development of the Proposed Development. From an early stage of the project, the Applicant has sought to build constructive relationships with statutory bodies, local authorities, community representatives, and technical consultees. This approach has ensured that emerging proposals were shaped by stakeholder input and that issues were identified and addressed collaboratively where possible.

5.2 Host Authority

5.2.1 The Applicant has undertaken extensive engagement with NYC, the host authority. Ongoing engagement has comprised regular (monthly) meetings where updates on the Proposed Development have been provided, including the design development. Targeted meetings with NYC technical specialists were also facilitated including to discuss biodiversity, landscape, public health, traffic and transport, public rights of way, noise and vibration, and heritage including archaeology. NYC officers participated in Design Workshops held in June 2025.

5.2.2 A Planning Performance Agreement (PPA) has been offered to NYC and dialogue with the Council is ongoing to confirm the terms of the agreement.

5.3 Statutory Engagement Bodies

5.3.1 Throughout the pre-application stage the Applicant maintained records of issues raised by the Statutory Engagement Bodies (SEBs). Pre-application service agreements were agreed with relevant statutory bodies, including Environment Agency (EA), Natural England (NE) and Historic England (HE) which has enabled constructive engagement to take place. Engagement with other environmental bodies, such as National Highways and Internal Drainage Boards, has been undertaken outside of the need for a pre-application service agreement.

5.3.2 The Applicant produced a working Issues Tracker to track engagement with the SEBs, including tracking matters raised at EIA scoping and during the Statutory Consultation period. This is a live document used to identify project-wide matters, tracking ongoing Stakeholder engagement to ensure relevant matters were identified and addressed.

5.3.3 Ahead of DCO Application submission, a working version of the Issues Tracker was presented to the Planning Inspectorate (PINS) at a Project Update Meeting on 17 November 2025. Relevant issues were shared with North Yorkshire Council (01/12/25), the Environment Agency (17/12/2025) and Natural England

(19/01/2026) to inform close out of pre-application dialogue, and to initiate progression to preparation of Statements of Common Ground which will be submitted early in the Examination Timetable.

5.3.4 The issues tracking process has informed the Potential Main Issues for Examination (PMIE) document submitted with the DCO Application [**EN0110012/APP/LVS/05.06**].

5.4 Design Workshops

5.4.1 In advance of the opening of the Phase Two Statutory Consultation (see below), the Applicant invited parish councils, relevant local interest and community groups, and technical consultees to two Design Workshops held on the 18 and 24 June 2025.

5.5 Duty to Consult

5.5.1 The Applicant has engaged in extensive consultation throughout the pre-application stage. Following a kick off meeting with North Yorkshire Council (NYC) in September 2024, a monthly steering group was facilitated from November 2025. Dialogue is ongoing regarding agreement of a Planning Performance Agreement (PPA) and is expected to be in place prior to commencement of the Examination. In addition to regular contact with the Council's DCO lead, the Applicant and their team engaged directly with NYC colleagues dealing with ecology, landscape, environmental health, highways including Public Rights of Way, public health, flood, heritage and archaeology. An Issues Tracker has been developed to track and resolve matters and key issues have been flagged in the submitted Potential Main Issues for Examination [**EN0110012/APP/LVS/05.07**].

5.5.2 The Applicant has also put in place service agreements with Historic England, Natural England and the Environment Agency to facilitate regular constructive dialogue with officers. This active engagement has enabled the Applicant to resolve all technical matters at the pre-application stage and is now working towards closing out Statement of Common Ground with the relevant organisations in advance of Examination.

5.5.3 Other engagement with Statutory Engagement Bodies has included with Highways England, Internal Drainage Boards, Network Rail and various utilities companies including Yorkshire Water, National Grid Gas and Northern Gas Networks.

5.5.4 The Applicant carried out an iterative two-phase approach to community consultation. Phase One (non-statutory) Consultation was held for six weeks between 24 October and 5 December 2024. Phase Two (statutory) Consultation, in compliance with Sections 42, 47 and 48 of the PA 2008, was undertaken between 26 June to 7 August 2025, supported by a Preliminary Environmental Impact Report (PEIR) in accordance with the EIA Regulations (Ref 5).

5.5.5 Following Phase Two Statutory Consultation, the Applicant undertook a targeted consultation between 16 October to 20 November 2025 to present changes to the Proposed Development resulting from further design work and due diligence, ongoing consideration of consultee feedback, and findings from the ongoing environmental impact assessment process. The consultation focussed on changes relating to access points, visibility splays, passing places, abnormal indivisible loads (AILs) access, cable route adjustments and permissive paths.

5.5.6 Details of the formal pre-application consultation process undertaken, issues raised and details on how feedback has informed the Proposed Development, is reported within the Consultation Report submitted within this DCO Application [**EN0110012/APP/LVS/05.01**].

6 Legislative and Policy Context

6.1 Legislative Context

6.1.1 The Proposed Development qualifies as an NSIP under Sections 14(1)(a), 15(1) and 15(2) of the PA 2008 (Ref 1) as it is an onshore generating station in England with a generating capacity exceeding 100 MW (AC). As such, development consent must be obtained through a Development Consent Order (DCO).

6.1.2 The PA 2008 establishes the legal framework for the DCO process, including the appointment of an Examining Authority (ExA) by the SoS to manage and examine the application and make a recommendation. The ExA, appointed through the Planning Inspectorate, will make procedural decisions and examine the application. Following examination of the application, the ExA will make a recommendation to the SoS. The SoS for the Department for Energy Security and Net Zero is responsible for the final decision as to whether to grant consent.

6.1.3 As a DCO Application, the Proposed Development is to be determined in accordance with Section 104(2) of the PA 2008 where a relevant National Policy Statement (NPS) is in place. Under Paragraph 104(2) of PA 2008, in deciding an application for development consent, the SoS must have regard to:

1. any national policy statement which has effect in relation to development of the description to which the application relates;
2. the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009;
3. any local impact report (within the meaning given by section 60(3);
4. any matters prescribed in relation to development of the description to which the application relates; and
5. any other matters which the SoS thinks are both important and relevant to the SoS's decision.

6.1.4 In respect of Section 104(2)(a) above, the NPSs which have effect in relation to the Proposed Development are:

1. EN-1 Overarching National Policy Statement for Energy (NPS EN-1);
2. EN-3 National Policy Statement for Renewable Energy Infrastructure (NPS EN-3); and
3. EN-5 National Policy Statement for Electricity Network Infrastructure (NPS EN-5).

6.1.5 Section 104(2)(aa) is not relevant to this type of development and has not been considered as part of this DCO Application. In respect of Section 104(2)(b), consideration for any local impact report will follow post submission of the DCO Application.

6.1.6 The Applicant has considered, under Section 104(2)(c) and (d), the following documents likely to be important and relevant considerations:

1. National Planning Policy Framework (2024)
2. Planning Practice Guidance

3. Relevant Local Planning Policy
4. Climate Change Act 2008
    a) The Sixth Carbon Budget published December (2033-2037) 2020 (with statutory effect)
    b) The Seventh Carbon Budget (2038-2042) published 26 February 2025 (currently without statutory effect)
5. The Climate Change Act (2050 Target Amendment Order) 2019
    a) Carbon Budget and Growth Delivery Plan 2025
6. The 2025 National Infrastructure Strategy
7. The UK's Modern Industrial Strategy (November 2025)
8. The 2025 Environmental Improvement Plan
9. A Green Future: Our 25 Plan to Improve the Environment (2018)
10. Clean Power 2023 Action Plan (December 2024)

6.1.7 Section 104(3) of the PA 2008 requires the SoS to decide an application in accordance with any relevant NPS, except to the extent that one or more of the following exceptions outlined in Section 104(4) to (8) apply:

1. deciding the application in accordance with any relevant NPS would lead to a breach of international obligations (Section 104(4));
2. deciding the application in accordance with any relevant NPS would lead to the SoS being in breach of any duty imposed by or under any enactment (Section 104(5));
3. deciding the application in accordance with any relevant NPS would be unlawful by virtue of any enactment (Section 104(6));
4. the adverse impact of the proposed development would outweigh its benefits (Section 104(7)); and
5. any condition prescribed for deciding an application otherwise than in accordance with a national policy statement is met (Section 104(8)).

6.2 Policy Context

Policy Compliance Document

6.2.1 The Policy Compliance Document [**EN0110012/APP/LVS/05.12**] submitted as part of the DCO Application to support this Planning Statement, demonstrates how the Proposed Development (as described in **Section 3**) has been informed by, and is in compliance with, the relevant NPS policies, and national and local planning policies. It provides specific reference to relevant sections of the ES which address matters set out in policy that are relevant to decision making and should be referred to alongside this Planning Statement.

National Policy Statements

6.2.2 National Policy Statements (NPSs) set out the policy basis for determining DCO applications. In accordance with Section 104 of the PA 2008, a DCO application must be determined in line with relevant NPSs, unless specific exceptions apply.

Therefore, the primary policy basis for determination of this DCO Application comprises NPS EN-1, EN-3 and EN-5.

6.2.3 NPS EN-1 sets out the national policy for the delivery of energy infrastructure, including solar renewable electricity generation. EN-1 provides the overarching policy position, of which solar PV generation falls within its definition of critical national priority (CNP) infrastructure. NPS EN-3 provides the primary basis for the SoS's decision making for solar PV generation considerations. NPS EN-5 is the primary basis for decisions on transmission and distribution system NSIPs and associated infrastructure and is relevant to the Proposed Development in respect to the CRC.

6.2.4 Updated NPSs for Energy were published in December 2025 and designated on 6 January 2026 in accordance with the PA 2008. The new NPSs reflect current energy policy, meaning that the investment required to achieve Clean Power by 2030 and Net Zero by 2050 can be delivered. Further detail of the NPSs policy basis relating to need is provided in the Statement of Need [**EN0110012/APP/LVS/05.03**] which accompanies this DCO Application.

6.2.5 The new NPSs explain that the Government's support for renewable generation going forwards is no lower than the support set out in existing publications and strategies and in the superseded NPSs, and if anything is emerging to be more supportive because of the unprecedented and urgent need.

6.2.6 Paragraph 3.3.19 of NPS EN-1 (Ref 2) incorporates the Government's aim to deliver its Clean Power target by 2030 (Ref 7) in place of previous policy and strategy aims.

6.2.7 Other national and local planning policy will be regarded by the SoS as 'important and relevant' to the Proposed Development; these documents are summarised in the following sections.

National Planning Policy Framework

6.2.8 The National Planning Policy Framework (NPPF) (2024) (Ref 8) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF does not contain specific policies relating to NSIPs – paragraph 5 states:

"The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications"

6.2.9 However, and pursuant to Section 104 of the Act, the SoS may consider that the policies of the NPPF are both important and relevant to the determination of a DCO Application. This notwithstanding, NPS EN-1 (at paragraph 1.1.2) makes

clear that the NPSs constitute the primary policy documents and would take precedence in the event of a conflict between the NPSs and other matters, given the national significance of the infrastructure.

National Planning Policy Framework: draft text for consultation

6.2.10 Government began a consultation on an updated NPPF on 16 December 2025, with the consultation scheduled to close on 10 March 2026.

6.2.11 Government has set out on page 106 of the consultation document in relation to the transitional arrangements that "*it is proposed that the Framework would be a material consideration from the day of publication of the final version*". At this time, the draft updated NPPF is therefore not a material consideration.

6.2.12 It is likely that the final published version of the revised NPPF will undergo further significant changes from the consultation version, given the level of changes from the current NPPF and the nature of the questions being asked by Government through the consultation.

6.2.13 The Applicant therefore believes there is limited value to the DCO Application at this stage in providing commentary on the implications of the draft revised NPPF when the current published version is not a material consideration.

6.2.14 It will be possible to review this position during the Examination of the Proposed Development should it be appropriate to do so.

Planning Practice Guidance

6.2.15 The Planning Practice Guidance (PPG) (Ref 9) supports the policies set out within the NPPF. The guidance covers a range of topics including climate change, renewable and low carbon energy, environmental impact assessment, flood risk, historic environment, light pollution, minerals, natural environment, noise, transport and waste. These matters have been considered where relevant in the ES and are accounted for accordingly in this Planning Statement.

Local Planning Policy

6.2.16 The Proposed Development is located wholly within the NYC local authority area which formed as a new unitary council on 1 April 2023. NYC replaced the seven former district and borough councils of Selby District Council, Craven District Council, Hambleton District Council, Harrogate Borough Council, Richmondshire District Council, Ryedale District Council, and Scarborough.

6.2.17 NYC is now responsible for producing a Local Plan (the North Yorkshire Local Plan) for its recently formed unitary authority to guide future growth. At the time of writing (January 2026), the production of this Local Plan remains at an early stage with an Issues and Options Consultation having taken place between May and July 2025, and a Call for Sites running from April 2024 to November 2025. Therefore, little weight can be afforded to the emerging evidence base and ongoing Issues and Options work.

6.2.18 The Proposed Development is located entirely within the former Selby District Council administrative area. The adopted development plan for the Proposed Development is therefore as follows:

1. Selby District Core Strategy Local Plan (2011-2027), adopted in 2013 (Ref 6);
2. the saved policies of the Selby District Local Plan 2005 (Ref 10);
3. North Yorkshire, City of York and North York Moors National Park Authority Minerals and Waste Joint Local Plan 2015-2030 and accompanying Policies Map, adopted in 2022 (Ref 11); and
4. Escrick Neighbourhood Plan[1] (Ref 12).

6.2.19 Escrick Neighbourhood Plan (2021-2035), adopted on 13 December 2022 is part of the development plan for Selby and partially covers the area defined by Site 1 of this proposed development (Ref 12). A design code for the Escrick Neighbourhood Plan is also available (Ref 13).

6.2.20 These plans will remain in place until the new local plan for NYC is adopted, and is the adopted local plan considered for the purposes of this submission.

6.2.21 For clarity, work on an emerging Selby Local Plan was formally stopped in February 2025 due to NYC deciding to focus its resources on preparing its single North Yorkshire Local Plan. As a result, draft policies and allocations from that document have not been considered in this DCO Application. This is an approach that has been agreed with NYC.

6.2.22 The NYC Local Development Scheme (LDS), March 2025, (Ref 14) published a milestone for publication of the NYC pre-submission Local Plan (Regulation 19) in Q1 of 2027. It is expected that an adopted plan will be in place by 2029.

6.2.23 There are no Supplementary Planning Documents adopted by NYC which are of direct relevance to the Proposed Development.

6.2.24 As with the NPPF, these Local Plan documents are prepared to guide decision making on planning applications submitted to the Local Planning Authority, rather than DCO applications for energy NSIPs which are to be decided by the SoS. Local policies may be important and relevant to the SoS's decisions, particularly where the document contains a policy that identifies an allocated site, a safeguarded land use, or an environmental designation that may affect the assessment of the likely impact of the Proposed Development. They will also be relevant to NYC in preparing its Local Impact Report.

6.2.25 In 2022, NYC declared a climate emergency and subsequently published a carbon reduction strategy: Climate Change Strategy 2023-2030 (Ref 15). This strategy sets targets for the region, including aiming to achieve net zero by 2034 and carbon negative by 2040.

[1] The emerging Sherburn in Elmet Neighbourhood Plan area lies adjacent to Sites 6 and 7 (to the north), bordering the northern boundary of Site 7. This Neighbourhood Plan is at an early stage of preparation and does not form part of the adopted development plan.

6.2.1 Two of the strategy's key aims are aligned with the principle of the Proposed Development:

1. Power – install an additional 2,500 MW of capacity from solar, onshore wind and hydropower by 2038.
2. Land use – 37,000 ha of new woodland by 2038 and 20% increase in hedgerows by 2038 (including improvements to existing hedgerow widths).

6.2.2 The strategic priorities, in relation to power, set out by the York and North Yorkshire Combined Authority in its Routemap to Carbon Negative (Ref 16) are also relevant to the proposed Development. The Routemap places a focus on the increase in low carbon energy generation, inclusive of Solar PV, and the improvement on energy infrastructure.

6.3 Other Documents

6.3.1 There are a number of other relevant documents, which are summarised at a high level below.

The Seventh Carbon Budget (2038-2042)

6.3.2 Published on 26 February 2025, the Seventh Carbon Budget ('the Budget') (currently without statutory effect and therefore not legally binding) sets a proposed legally binding cap on UK greenhouse gas emissions for 2038-2042, aiming for around an 87% reduction by 2040 (Ref 17).

6.3.3 The reported Balanced Pathway to achieve the Carbon Budget sees solar capacity increasing to 82 GW (16 GW in 2023 and 20 GW in 2025). The Budget also reports on the importance of storable forms of energy including batteries. The Budget explains how upfront investment will *"lead to significant savings in the future as inefficient fossil fuel technologies are replaced by more efficient, low-carbon alternatives*" and importantly, the transition to a low carbon economic will "*make the UK economy more resilient, by reducing dependence on volatile international fossil fuel markets*".

Carbon Budget and Growth Delivery Plan 2025

6.3.4 The Carbon Budget and Growth Delivery Plan sets out the UK's strategy to meeting its statutory carbon budgets while fostering economic growth (Ref 18). The plan focuses on net-zero as an opportunity area for innovation, investment, and job creation, alongside strengthened and lower consumer bills.

6.3.5 The Government's mission is to "*make Britain a clean energy superpower*". The Plan identifies policy for "*rapid deployment of ground mount (sic) solar*" and ensuring the planning system supports increases that deployment.

The 2025 National Infrastructure Strategy

6.3.6 The 2025 National Infrastructure Strategy sets out a long-term plan to invest at least £725 billion in economic, social, and housing infrastructure from 2025 to 2035. It aims to decarbonise the UK's electricity system by 2035 while supporting

economic growth and energy security through low-carbon technologies (Ref 19). For solar, the Strategy supports scaling generation to 45-47 GW by 2030 as part of the wider Clean Power Action Plan (Ref 7), positioning large-scale solar as a core component of the programme.

The UK's Modern Industrial Strategy (November 2025)

6.3.7 The Modern Industrial Strategy outlines a 10-year framework to increase business investment and productivity across high-potential sectors including clean energy and reducing energy bills (Ref 20).

6.3.8 Referring back to the Government's mission for Clean Energy (6.3.5), the Strategy points to a long-term plan to increase the UK's energy security and reduce electricity bills by investing in clean energy.

6.3.9 Measures include reducing electricity costs for energy-intensive industries, accelerating grid connections, and simplifying regulation and planning to attract private investment and support regional industrial clusters.

6.3.10 In the accompanying Clean Energy Industries Sector Plan (Ref 21), it is reported by Government that technologies, including solar, are vital for the 'Clean Energy Superpower Mission'. This mission is to promote a diverse, low carbon energy system and net zero future. The Action Plan, in setting the long-term deployment pathways to deliver the vision, includes the Clean Power 2030 Action Plan reported further below.

The 2025 Environmental Improvement Plan

6.3.11 The 2025 Environmental Improvement Plan (EIP) (Ref 22) serves as England's updated roadmap under the Environment Act 2021 (Ref 23), setting out measurable targets and 91 commitments across ten goals, including across air and water quality, nature recovery, waste reduction, climate resilience, and public access to nature. It allocates significant funding introduces detailed delivery plans with clear accountability, monitoring tools, etc.

A Green Future: Our 25 Plan to Improve the Environment (2018)

6.3.12 The 25 Year Environment Plan sets out the Government's long-term vision to enhance the UK's natural environment by 2043 (Ref 24). It covers sustainable land use, wildlife recovery, public wellbeing, resource efficiency, marine protection, and global stewardship—providing the strategic foundation subsequently updated by the EIP.

Clean Power 2030 Action Plan (December 2024)

6.3.13 This publication highlights the urgent need for rapid deployment of new clean energy generation and sets an ambitious target of 45 - 47 GW of solar power capacity by 2030 (Ref 7). Achieving this will require significant growth in large-scale solar farms.

6.3.14 As a large scale low carbon energy generation scheme, the Proposed Development is consistent with the above documents.

7 Planning Assessment

7.1 Overview

7.1.1 This section of the Planning Statement appraises the Proposed Development against the policy context for large scale solar and storage development identified in **Section 6**, taking into account the need for, and benefits of, the Proposed Development.

7.1.2 In doing so, it draws on the Policy Compliance Document [**EN0110012/APP/LVS/05.12**]. Emphasis is placed on the NPSs which are the primary policy context for the decision-making process. The themes covered are as follows:

1. Principle of Development
2. Good Design
3. Flood Risk and Drainage
4. Green Belt
5. Agricultural Land and Soils
6. Human Health
7. Natural Environment and Biodiversity
8. Air Quality and Emissions
9. Greenhouse Gas Emissions
10. Historic Environment
11. Landscape and Visual
12. Noise and Vibration
13. Socioeconomic Impacts and Land Use
14. Traffic and Transport
15. Resources and Waste Management
16. Water Quality and Resources
17. Special category land
18. Other Considerations (pollution control, safety, hazards, nuisance, security, ground conditions, minerals and glint and glare)
19. Cumulative effects

7.1.3 The following sections take account of the construction, operation and decommissioning phases of the Proposed Development.

7.2 Principle of Development

Critical National Priority Infrastructure

7.2.1 NPS EN-1 establishes a critical national priority (CNP) for nationally significant low carbon infrastructure (paragraphs 3.1.1 to 3.2.14). NPS EN-3 explicitly includes solar generation as a key contributor to the UK's energy security and decarbonisation goals. This clear and demonstrable need should be afforded substantial weight in the planning balance and should form the starting point for the decision maker's assessment.

7.2.2 This Planning Assessment therefore does not seek to justify the need for the Proposed Development and instead focuses on the planning merits of the proposal, the impacts of the project, and the application of the mitigation hierarchy. It draws on relevant evidence within the DCO Application to demonstrate that the Proposed Development is acceptable in planning terms.

7.2.3 This section sets out the reasons why the Proposed Development is CNP Infrastructure, and what this means for the application of planning policy tests. National policy recognises that, the urgent need for CNP Infrastructure to achieving the UK's energy objectives, together with the national security, economic, commercial and net zero benefits, means that it is likely the need case will outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy, in all but the most exceptional circumstances (NPS EN-1, paragraph 3.3.63).

7.2.4 Therefore, it is necessary to set out how the mitigation hierarchy has been applied, in accordance with NPS EN-1 paragraph 4.2.24. The mitigation hierarchy refers to the '*avoid, reduce, mitigate, compensate*' process that applicants need to go through to protect the environment and biodiversity, as defined in the NPS EN-1 glossary.

7.2.5 The Proposed Development has followed a robust Environmental Impact Assessment (EIA) process, which has identified where environmental effects are likely to be 'moderate' or 'major', and therefore 'significant' in EIA terms. The mitigation hierarchy has been followed throughout. Where the EIA predicts a significant adverse effect on one or more receptors, it has been considered whether further mitigation measures could be implemented to avoid or reduce the effect or reduce the likelihood of it happening.

7.2.6 As the design has evolved, the Applicant has sought to avoid or reduce effects where practicable through design choices, or methods that will inform construction and operation ('embedded mitigation'), for example, the use of an Outline Construction Environmental Management Plan. As a result design choices made to date, and identification of embedded mitigation measures, very few residual adverse effects have been identified. Of those remaining adverse effects, compensation is not considered to be necessary. The residual adverse effects, which have been assessed according to the worst-case scenario, relate to:

1. Agricultural land and soils due to temporary long term significant effects on Grade 1 and 2 agricultural land;
2. Biodiversity due to possible residual significant effects from decommissioning, which are unknown (reversion of grassland habitat to cropland);
3. Landscape and visual due to residual significant effects on landscape character areas where solar panels noticeably alter the landscape character and reduce openness and tranquillity, and where visual effects remain for a small number of locations (residents close to SDS 2 and people using PROWs near SDSs 1 and 4);

4. Cumulative effects associated with landscape and visual impacts due to the size and geographic extent of other developments.

7.2.7 Notably, significant beneficial effects have been identified for GHGs during the operation and maintenance phase.

7.2.8 As per NPS EN-1 paragraph 4.2.28 where residual non-HRA or non-MCS impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts.

7.2.9 Paragraph 4.1.7 of NPS EN-1 sets out circumstances where the presumption that residual impacts are unlikely to outweigh the urgent need for CNP Infrastructure. These are where residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, or irreplaceable habitats. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.

7.2.10 The ES confirms no residual effects of the Proposed Development have been identified that would result in an unacceptable risk to: human health and public safety; defence; irreplaceable habitats; the achievement of net zero; offshore navigation; or flood and coastal erosion. Further, there are no residual HRA or MCZ impacts. None of the exceptional circumstances set out in NPS paragraph 4.1.7 are applicable to the Proposed Development.

7.2.11 It is therefore considered that in accordance with the policy position of paragraph 4.1.7 of NPS EN-1, that the Proposed Development is CNP Infrastructure, and as such, the presumption should be applied that the needs case of this CNP infrastructure would outweigh any residual effects arising from the Proposed Development.

Site Selection and Alternatives

7.2.12 The Applicant has entered into a connection agreement with National Grid for the export and import of electricity at Monk Fryston. Once a point of connection was established, the Applicant proceeded to identify potentially unconstrained sites within proximity of the Monk Fryston Substation of a scale sufficient (minimum 40 ha) to meet the Proposed Development generation requirements.

7.2.13 NPS EN-1 paragraph 4.3.27 states that: "*alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision*."

7.2.14 However, there is a need to consider alternatives where:

1. compulsory acquisition is required;
2. where there are adverse effects on integrity in the context of the Conservation of Habitats and Species Regulations 2017;

3. where a deterioration of status to a WFD waterbody is caused; and
4. where policy tests require it (e.g. flood risk and the sequential test).

7.2.15 It is noted that although the HRA and WFD tests do not apply, the Applicant is seeking to secure powers to compulsorily acquire land and rights, and there is a requirement to apply policy tests in the context of flood risk in light of the location of the Proposed Development

7.2.16 This is set out in Chapter 3: Alternatives and Design Iteration (ES Volume 1) [**EN0110012/APP/LVS/06.01.03**] and the supporting Site Selection Assessment Report [**EN0110012/APP/LVS/06.03.03.01**], which describe the approach taken to identify the location for the Proposed Development.

7.2.17 In summary, following the staged assessment of potential sites, it was evident that there was no unconstrained, suitable and available land within the search area. Therefore, the search was expanded to include high grade agricultural land, Green Belt and Floods Zones 2 and 3. At this stage, sites smaller than 40 ha were considered provided they were within the same ownership as suitable larger sites, and where the smaller sites would be in close proximity to other Solar Development Sites.

7.2.18 The Site Selection Assessment Report confirms there are no more suitable and available alternative locations to the proposed location for the Proposed Development within a search area of 25 km radius of the Monk Fryston Substation, based on the criteria identified.

7.3 Good Design

7.3.1 The Proposed Development has applied principles of good design as far as practicable in the context of aesthetic and technical constraints of solar photovoltaic infrastructure, BESS and associated works. The Applicant has set out the following Design Vision for the Proposed Development, which flows from the Project Objectives discussed in **Section 4.2** above:

7.3.2 "*Light Valley Solar will provide a substantial contribution towards the UK's net zero carbon ambitions and energy security. Rooted in the landscape of North Yorkshire, the project will deliver lasting environmental and community benefits by enhancing green corridors, promoting biodiversity, and connecting people with nature. It aims to leave a positive, enduring legacy for local communities through thoughtful, environmentally-led design and sustainable development*."

Relevant Policy Summary

7.3.3 Section 4.7 of NPS EN-1 is clear that, for energy infrastructure, high quality and inclusive design goes far beyond aesthetic considerations and includes the functionality of an object, be it a building or other type of infrastructure. Fitness for purpose and sustainability are equally important factors in demonstrating good design. Paragraphs 4.7.5 to 4.7.7 indicate that Design Principles should be set out from the outset to guide from concept to operation.

7.3.4 NPS EN-1 design policy points applicants to applying a sensitive use of materials and embedding opportunities for nature inclusive design. The Secretary of State will give consideration to functionality and aesthetics in their decision making (paragraph 4.7.11). Applicants must demonstrate how the design process was conducted and how the proposed design evolved (paragraph 4.7.7) and are encouraged to appoint a board-level design champion (paragraph 4.7.5) and take independent professional advice on the design aspects of a proposal (paragraph 4.7.8).

7.3.5 NPS EN-5 states that the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant's ability to influence the aesthetic appearance of that infrastructure.

7.3.6 NPS EN-1 further acknowledges that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area (paragraph 4.7.2).

7.3.7 NPS EN-3 and NPS EN-5 defer to NPS EN-1 Section 4.7 in relation to criteria to demonstrate good design. NPS EN-3 states that applicants will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays.

7.3.8 The NPPF supports the development of clear policy expectations and guidance to assist developers, along with early engagement between developers, local authorities and communities.

7.3.9 Paragraph 135 of the NPPF seeks to ensure that developments:

1. Will function well for their lifetime and add to the overall quality of the area.
2. Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
3. Are sympathetic to local character and history, without preventing appropriate innovation and change.
4. Establish and maintain a strong sense of place.
5. Optimise the potential of the site.
6. Create paces that are safe, inclusive and accessible.

7.3.10 The Selby District Core Strategy (2013) Policy SP19 and Selby District Local Plan (2005) Policy ENV1 are broadly consistent with the NPPF. Policy ENV1 includes consideration of neighbouring amenity, relationship to the highway network, and the capacity of local services and infrastructure to serve the proposal.

7.3.11 The Escrick Neighbourhood Plan Policy BEH2 sets out design considerations for new development within the setting of the Escrick Conservation Area, which should reflect and reinforce the best principles of good design.

7.3.12 In addition to national and local policy requirements, there are various guidance documents relating to good design for infrastructure projects. The National Infrastructure Commission (NIC) published Design Principles for National Infrastructure (Ref 32) which includes four pillars of good design; climate, people, place and value. The Planning Inspectorate has also published their NSIP Advice

Page on Good Design (last updated April 2025) which explains why good design is important.

Appraisal of the Proposed Development

7.3.13 To support the delivery of good design from an early stage, in accordance with NPS EN-1 paragraph 4.7.5, the Applicant's parent company, Island Green Power Ltd., appointed a Board-level Design Champion to embed good design across the Applicant's portfolio of NSIP projects.

7.3.14 The Applicant, Light Valley Solar Ltd, has adopted the Global Design Principles for Light Valley Solar, which are:

1. Decarbonisation and energy security
2. Environmentally led design
3. Biodiversity Net Gain and nature recovery
4. Design flexibility
5. Social Value and community
6. Efficient infrastructure and ethical supply chain
7. Sustainability, durability and reversibility
8. Commitment to mitigation.

7.3.15 The Applicant has expanded on these Design Principles to help shape the evolution of the siting and layout of the Proposed Development. These are summarised in Table 7-1Table 7-1 below.

Table 7-1 Design principles

No.	Specific Design Principles for the Proposed Development
Environmentally Led Design	
1	Follow a joined up and collaborative design approach.
2	Retain and protect existing habitats and replace those removed to facilitate construction as far as practicable.
3	Provide appropriate buffers between proposed infrastructure and sensitive habitats and features.
4	Locate development to reduce potential flood risk, where possible.
5	Maintain water sustainably.
6	Minimise landscape and visual impact to residents.
7	Minimise adverse impact of construction works.
8	Protect and celebrate heritage assets.
Biodiversity Net Gain and Nature Recovery	

No.	Specific Design Principles for the Proposed Development
1	Locate development away from areas for nature conservation, where possible.
2	Improve the connectivity of existing habitats by strengthening with new planting.
3	Provide appropriate buffers between proposed infrastructure and protected species.
4	Minimise disturbance to mammal transit through the Proposed Development.
5	Create new habitats and manage the land in ways that support local bird and mammal populations
6	Safeguard spaces for nature with a balance between public access and nature conservation.
7	Manage land through conservation grazing in suitable locations to enhance biodiversity.
Social Value and Community	
1	Provide buffers between proposed development and footpaths.
2	Improve the pathway network to enhance use and enjoyment for local communities.
3	Encourage responsible enjoyment of nature.
4	Incorporate interpretation and wayfinding.
5	Understand and collaborate with our neighbours.
6	Enhance placemaking.

7.3.16 The Design Parameters, defined initially by the topic experts and engineering team, were first published in draft in the PEIR at Statutory Consultation (PEIR Tables 2-1 and 3-2) in summer 2025. They were used to set the initial framework, alongside consultation feedback, for ongoing spatial and engineering choices made across the SDSs, CRC, HIAs and SDS 8 Access. This iterative process ultimately informed the final Design Parameters and Commitments that make up the secured design, and are set out in the Design Parameters and Commitment document [**EN0110012/APP/LVS/05.05.06**].

7.3.17 It is noted that feedback received during consultation (including the Design Workshops), and on-going engagement with stakeholders throughout the pre-application stage, has had a notable influence on the final design. Changes made during this process, and reflected in the Proposed Development, have included:

1. Solar panels removed near sensitive receptors, heritage assets and areas at risk of flooding;
2. Permissive paths added for pedestrian, cyclist and equestrian access.

3. Removing construction access from Monk Fryston village to SDS 2 via Fryston Common Lane.
4. Fences designed to allow continued movement of larger animals including deer and foxes.
5. CRC Order Limits adjusted to allow safe vehicle and Abnormal Indivisible Load (AIL) access, and space for cable installation, avoiding engineering and environmental constraints and reducing traffic through villages.

7.3.18 Further information on the design process undertaken is set out in the Design Approach Document (DAD) [**EN0110012/APP/LVS/05.05**]

7.4 Flood Risk and Drainage

7.4.1 Due to the proximity of the River Aire and River Ouse, some areas within the Order Limits are within Flood Zone 2 and 3a. There are no areas of Flood Zone 3b within the Order Limits.

7.4.2 Flood risk has been a key consideration for the Applicant throughout the site selection process. For example, following Phase 1 consultation, hydrological assessment evidence confirmed that SDS 5 could experience flood depths that were incompatible with solar across much of this site and so SDS 5 was removed from the draft Order Limits. Lower-risk sites (SDSs 6, 7 and 8) were introduced, all of which are located predominantly within Flood Zone 1.

7.4.3 The application is accompanied by a Flood Risk Assessment (FRA) [**EN0110012/APP/LVS/06.03.15.01**] and an Outline Drainage Strategy [**EN0110012/APP/LVS/06.03.15.04**]. These are appended to Chapter 15: Water Resources and Flood Risk (ES Volume 1) [**EN0110012/APP/LVS/06.01.15**]. These consider flood risk from all sources (fluvial, surface water, groundwater, reservoirs and surrounding properties / infrastructure).

7.4.4 The SDS Flood Risks assessments incorporate the latest available data, including Environment Agency Product Data, to evaluate flood risk from all relevant sources, including fluvial, surface water, groundwater, and additional sources including Yorkshire Water infrastructure (see Table 6-1 of the FRA). In addition, the assessment considers the interactions between the Cable Route Corridor and EA flood defence assets ensuring that any potential impacts on the integrity and performance of these defences are identified and addressed.

7.4.5 The FRA concludes that development within Flood Zone 3a can be made safe for its lifetime, both in terms of flood risk (from all sources) to and from the Proposed Development, due to the inherent compatibility of solar infrastructure with flood risk.

7.4.6 This section focuses on fluvial flood risk on the basis flood risk to the SDSs is fluvially influenced, not tidal. Risk from other sources have been assessed in the FRA as low to medium and have been dealt with via the submitted Outline Drainage Strategy.

Relevant Policy Summary

7.4.7 NPS EN-1 seeks to ensure that flood risk from all sources of flooding[2] is taken into account at all stages in the planning process, at the national and local level, to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding (paragraph 5.8.6). NPS EN-1 (paragraph 5.8.36) sets out relevant factors for determining applications. These include:

1. provision of an appropriate FRA;
2. application of the Sequential Test as part of the site selection process and at site level;
3. a proposal that aligns with national and local flood risk management strategies;
4. the use of sustainable drainage systems (SuDS), unless inappropriate;
5. a design that allows the Proposed Development to remain safe and operational during its lifetime without increasing flood risk elsewhere;
6. inclusion of safe access and escape routes; and
7. appropriate safeguarding of land that is likely to be needed for present and future flood risk management from development.

7.4.8 NPS EN-5 requires the Applicant to provide detail of the extent to which the proposed development is expected to be vulnerable and, where appropriate, how it has been designed to be resilient to flooding.

7.4.9 In the context of the Sequential Test, the NPPF, like NPS EN-1, requires a sequential risk-based approach to be taken for individual applications in areas known to be at risk of flooding (paragraph 173). New development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding (paragraph 174).

7.4.10 The NPPF does set out an exception to requiring a sequential test at paragraph 175 where "*in situations where a site-specific flood risk assessment (FRA) demonstrates that no built development within the site boundary… would be located on an area that would be at risk of flooding from any source, now and in the future".* This does not apply to the Proposed Development.

7.4.11 Planning Practice Guidance (PPG) for Flood Risk and Coastal Change (Ref 9) at paragraph 026 clarifies that, in the context of surface water, where a site-specific FRA "*demonstrates clearly that the proposed layout, design and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, without increasing flood risk elsewhere, then the sequential test need not be applied*". As such a sequential test for surface water is not required where a suitable drainage strategy is in place. This is the case with the submitted Drainage Strategy [**EN0110012/APP/LVS/06.03.15.04**]) and the FRA concludes that with that

[2] Sources of flood risk are fluvial, surface water, groundwater, reservoirs and surrounding properties/infrastructure.

strategy in place, no surface water flood risk arises. A sequential test is therefore not required in relation to surface water risk.

7.4.12 The need for a Sequential Test does, however, apply to the Proposed Development on the basis of potential fluvial Flood Risk. Table 2 of the PPG for Flood Risk and Coastal Change does confirm that the Exception Test is required for Essential Infrastructure in Flood Zone 3a and Flood Zone 3b. As per NPPF paragraph 178, the application of the Exception Test should be informed by a strategic or site-specific FRA, and demonstrate part a) and b) below are satisfied, to pass the Exception Test:

1. (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
2. (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

7.4.13 The Selby District Core Strategy Local Plan (2013) Policy SP15 Sustainable Development and Climate Change states that development in areas of flood risk should be avoided wherever possible through the application of the sequential test and exception test. Where development must be located within areas of flood risk, this policy states that it must be made safe without increasing flood risk elsewhere. Sustainable flood management measures are supported through this policy.

Environmental Assessment

7.4.14 The assessment of flood risk indicates that the primary source of flood risk to the Proposed Development is from fluvial flooding. Other sources of potential flood risk to the Proposed Development include surface water and groundwater flooding. Table 7-2, sourced from the submitted FRA, summarises the identified sources and flood risk for the SDSs.

Table 7-2 Solar Development Sites Flood Risk Assessment summary

	Solar Development Site / Risk						
Flood risk source	1	2	3	4	6	7	8
Fluvial	High	Low	Medium	High	Low	Low	Low – Medium
Surface water	Low	Low – Medium	Low	Low – Medium	Low – Medium	Low – Medium	Low – Medium
Groundwater	Low – Medium	Low – Medium	Low – Medium	Low – Medium	Low	Low	Low
Reservoirs	Very low	Very low	Very low	Very low	Very low	Very low	Very low
Highway drainage	Very low	Very low	Very low	Very low	Very low	Very low	Very low
Private drainage	Very low	Very low	Very low	Very low	Very low	Very low	Very low

	Solar Development Site / Risk						
Flood risk source	1	2	3	4	6	7	8
Additional sources	Very low	Very low	Very low	Low	Very low	Very low	Very low

7.4.15 SDSs 1, 3 and 4 are located predominantly within Flood Zones 2 and 3 and are considered to be at a medium to high risk of flooding from fluvial sources. Site-specific hydraulic modelling (ES Figure 15.15 [**EN0110012/APP/LVS/06.02.15.15**]) indicates that these sites remain dry during the design flood event, with the exception of the southern portion of SDS 1 which experiences flooding up to 1.0 m deep in Solar PV areas in the design flood event.

7.4.16 SDSs 2, 6, 7 and 8 are considered to be at a lower risk from fluvial flooding, as they are wholly or predominantly located in Flood Zone 1. Smaller portions of these sites encroach into Flood Zones 2 and 3. However, site specific modelling has confirmed that these areas remain dry during the design flood event.

7.4.17 Any flooding observed along these watercourses can be effectively avoided by maintaining the committed Design Principle of 10 m from the bank top of all watercourses (an embedded mitigation measure).

7.4.18 Separate rainfall–runoff models have not been developed for SDS 6 to 8. Instead, the risk of flooding from surface water (RoFSW) mapping is regarded a suitable proxy for identifying areas potentially at risk from smaller watercourses within or surrounding the sites.

Sequential Test

7.4.19 NPS EN-1 policy steers new development to areas with the lowest risk of flooding (paragraph 5.8.6) and the NPPF sets out the Sequential Test and Exception Test for development to minimise vulnerability to flooding and to ensure a risk based approach to the location of development is taken, accounting for current and future climate change impacts.

7.4.20 The following paragraphs provide details on the Applicant's sequential approach to both site selection and site layout including sign posting to where further information is set out in the submitted DCO Application documents.

Site selection

7.4.21 The Applicant identified a 25 km search radius around the Monk Fryston substation as the maximum viable cable connection distance for a solar project of this scale.

7.4.22 The Applicant's Site Selection Assessment Report (SSAR) [**EN010012/APP/LVS/06.03.03.01**] confirms that, in that search area, no other sites were identified that are both entirely within Flood Zone 1, and suitable for the Proposed Development. The report goes on to explain how the Sequential Test was applied when considering site selection following that initial exercise. It concludes that, following the application of the Project Objectives and

assessment criteria, the location of the SDSs is sequentially appropriate compared to other alternative locations.

7.4.23 With reference to the submitted Drainage Strategy [**EN0110012/APP/LVS/06.03.15.04**]), the FRA concludes that with that strategy in place, no surface water flood risk arises.

7.4.24 The SSAR concludes that the Proposed Development has passed the Sequential Test.

Site layouts

7.4.25 Within the SDSs, a sequential approach to design has been applied to determine the location of flood-sensitive assets to lower risk locations (see Table 7-3). This approach has been undertaken on the basis that non-flood-sensitive assets (specifically, all infrastructure excluding the BESS Compound, 275 kV Substations and Integrated Conversion Units (ICUs)[3]) can be designed to be safe in areas of medium and high flood risk, i.e. Flood Zones 2 and 3.

Table 7-3 Flood-sensitive asset locations

Proposed Development element		Solar Development Site	Flood Zone
275 kV substation		SDS 1 – within field 1.19	Flood Zone 1
275 kV substation and BESS		SDS 2 – within field 2.4	Flood Zone 1
275 kV substation		SDS 4 – within field 4.4	Flood Zone 2
275 kV substation		SDS 6 – within field 6.3 or 6.6	Flood Zone 1
Integrated Conversion Units (ICUs) – interchangeable with 33kV switch rooms	Located across the Solar Development Sites	Various	

7.4.26 Figure 15.15: Design Event (1 in 100-year plus climate change) (ES Volume 2) [**EN0110012/APP/LVS/06.02.15.15**] shows that the majority of flood-sensitive assets, including the substation within Flood Zone 2 on SDS 4, remain dry during the design flood event (1 in 100 year). The possible exception is a small number of ICUs on SDS 1, which are shown, based on an illustrative layout, to experience flood depths of up to 0.5 m in the design flood event. The ICUs are small-scale components that are typically co-located with the solar panels they serve and so have limited locational flexibility.

Solar PV Panels

7.4.27 NPS EN-3, at paragraph 2.10.76, states that "*as solar PV panels will drain to the existing ground, the impact will not, in general, be significant*". It is therefore appropriate to locate solar PV panels in areas of higher flood risk, if suitably designed.

[3] Note, as explained in ES Chapter 2 [**EN0110012/APP/LVS/06.01.02**], for the purposes of assessment within the ES, the 33kV switch rooms are assumed to be interchangeable with the Conversion Units.

Built aspects

7.4.28 The BESS Compound and 275 kV Substations on SDSs 1 and 2 are located within Flood Zone 1, and a 275 kV Substation on SDS 4 is located within Flood Zone 2.

7.4.29 The proposed Substation on SDS 4 although in Flood Zone 2, would be within an area of least risk on that site. The results of the hydraulic modelling, presented in Figure 15.15: Design Event (1 in 100-year plus climate change) (ES Volume 2) [**EN0110012/APP/LVS/06.02.15.15**] demonstrate that the substation location remains dry during the design flood event.

7.4.30 Solar PV panels must be co-located with the ICUs[3] and therefore, where panels are located in areas of higher flood risk, a small proportion of ICUs may also be required within Flood Zones 2 and 3. This risk is considered to be minimal given the small scale of the components.

Sequential test summary

7.4.31 A sequential approach has been applied to finding sites and, informing the layouts of the Proposed Development. The FRA confirms that, with a Drainage Strategy in place, no surface water flood risk arises.

7.4.32 Substations and BESS have been sequentially located in areas of lowest flood risk. The Applicant has committed to locating the substations and the BESS Compound within Flood Zone 1 and Flood Zone 2 only. These locations are outside the flood envelope associated with the 1 in 100-year plus climate change design flood event.

7.4.33 The Proposed Development satisfies the requirements of the Sequential Test.

Exception Test

7.4.34 The need for an Exception Test (NPPF paragraph 179) applies to the Proposed Development on the basis of potential fluvial flood risk where parts of the Proposed Development are located in Flood Zone 3a. The tests relating to wider sustainability benefits, and safe operation are each addressed below. Further detail can be found in Section 7.4 of the FRA.

Wider sustainability benefits (part a of the Exception Test)

7.4.35 NPS EN-1, at footnote 216, confirms that wider sustainability benefits to the community includes need for the infrastructure. The need for the Proposed Development is outlined in the Statement of Need [**EN0110012/APP/LVS/05.03**]. In summary, the Proposed Development will have both local and national significance through its contribution to the decarbonisation of the UK's electricity generation.

7.4.36 The Proposed Development will contribute to addressing the climate change emergency that affects everyone's lives and the environment, by helping the UK's energy supply become secure, low carbon and low-cost. It addresses the

projected increase in electricity demand while enhancing the UK energy security and resilience in line with NPS EN-1.

7.4.37 Localised benefits to the Proposed Development would provide to the community include:

1. Connectivity and public access improvements, including enhancements to the local PRoW network and the creation of additional permissive paths.
2. Employment generation and Gross Value Added (GVA) contributions expected during the construction phase and decommissioning phase.
3. Local recruitment and procurement and supporting local education and skills uplifting, including promotion of apprenticeship schemes, workforce training, and STEM education initiatives.
4. Ecological and landscape enhancement, including creating additional areas of hedgerow (including infilling existing hedgerow), grassland, woodland planting.
5. Significant BNG contributions and habitat creation/ enhancement, including commuting corridors through the development and wetland areas for ground nesting birds.
6. Retention and enhancement watercourses, ponds and ditches, including providing connectivity for species such as otter, water vole, and amphibians.
7. Installation of habitat features, including bat and bird boxes.

Safe operation (part b of the Exception Test)

7.4.38 The solar panels are located in areas where flood depths are anticipated to be below 1.0 m during the design flood event. They will be elevated above the ground with a minimum clearance of between 0.4 – 1.0 m, making them resilient to flooding as floodwater is able to flow under and around the panels. Depending on the type of panels used, panels can be placed in the 'stow' position if flooding is anticipated to increase the clearance height.

7.4.39 The FRA [**EN0110012/APP/LVS/06.03.15.01**] assumes that the SDSs will drain naturally following the topography towards watercourses with some losses into the ground. Therefore, as most of the solar farm installation will comprise solar PV panels, the vast majority of the land within the SDSs will remain permeable throughout the lifetime of the Proposed Development.

7.4.40 As secured in the Design Parameters and Commitments [**EN0110012/APP/LVS/05.06**], electrical infrastructure, including SDS 4 substation and ICUs[3], will be elevated ensuring the minimum finished flood level (FFL) would be set to the design event flood level plus 0.3 m freeboard, or the credible maximum scenario[4] flood level, whichever is greater.

7.4.41 The location and design of construction compounds within Flood Zone 2 or 3 will minimise both flood risk to the site and any off-site impacts. Where it is not feasible to avoid the floodplain entirely, all materials, equipment, welfare facilities

[4] For the credible maximum scenario, uplift values of +51% (Aire) and +50% (Ouse) were applied, representing upper-end projections for the 2080s. The +50% uplift for the Ouse catchment was deemed equivalent to the EA +48% uplift projected for the 2080s.

and fuel stores would be located on the highest available ground, as far from the flood-prone areas as practical, securely stored and, where necessary, raised above predicted flood levels to prevent damage or displacement during a flood event.

7.4.42 Location specific risks have been considered as part of the Exception Test, including breach events at existing flood defences along the River Aire which protects SDSs 3 and 4. The 1 in 1,000-year breach scenarios at both locations result in extensive flooding across Solar Development Sites 3 and 4, with predicted flood depths generally ranging from approximately 0.3 m to greater than 1.5 m. Flooding associated with these extreme residual-risk scenarios is shown to generally be contained to areas south of the A63 road.

7.4.43 The likelihood of such an event occurring is very low.

7.4.44 The following additional safety measures will be in place throughout the lifetime of the development:

1. A Flood Warning Evacuation Plan (FWEP) to enable safe evacuation when high river levels are anticipated. This will cover the construction, operation and decommissioning phases.
2. Flood response and evacuation protocol training for workers is secured through the oCEMP, oOEMP and oDEMP.
3. Scheduling of work to prioritise work in lower-risk zones (i.e. those outside of the floodplain) during wetter periods is secured through the oCEMP.
4. Materials storage, machinery, welfare facilities and sensitive equipment would be located outside of the floodplain, as far as is practicable. This commitment is secured through the oCEMP.
5. The location and design of construction compounds within Flood Zone 2 or 3 would be carefully considered to minimise both flood risk to the site and any off-site impacts. The oCEMP makes provision for minimising areas of hardstanding and also, where compounds are needed in Flood Zones 2 or 3, establishing flood warning processes.
6. The OEMP and Drainage Strategy make provision for ensuring regular monitoring and inspections of drainage systems, materials and structures to identify signs of deterioration with additional checks carried out after extreme weather events. Risk assessments would be carried out to schedule visits to avoid periods of elevated flood risk.
7. Safe access and egress compliant with relevant flood risk and safety requirements and confirmed in the detailed CEMP, OEMP, DEMP and CTMP, pursuant to the outline version of those plans.

7.4.45 The FRA concludes that, with mitigation, the Proposed Development can be made safe from flooding (from all sources) throughout its lifetime without increasing the flood risk elsewhere.

Summary of Assessment

7.4.42 Due to the proximity of the River Aire and River Ouse, some areas within the Order Limits are within Flood Zone 2 and 3a. There are no areas of Flood Zone 3b within the Order Limits.

7.4.43 The Proposed Development is classified as Essential infrastructure which is allowed in Flood Zone 3 where it is designed and constructed to be operational and safe in times of flood.

7.4.44 The FRA confirms that the primary source of flood risk to the Proposed Development is from fluvial flooding. Other sources of potential flood risk to the development include surface water (low to medium risk) and groundwater (low to medium risk) flooding.

7.4.45 The FRA concludes that, with a Drainage Strategy in place, no surface water flood risk arises.

7.4.46 The Sequential Test has been applied. This has demonstrated that there are no reasonably available alternative locations to accommodate the Proposed Development.

7.4.3 At the SDS level, the sequential approach to layout design has directed the most vulnerable uses to areas of lowest flood risk. The BESS and 275 kV Substations on SDSs 1 and 2 have been located in areas outside of flood zones 2 and 3. However, the 275 kV Substation on SDS 4 is in flood zone 2 and a handful of ICUs[3] across each of the SDSs may be located, by necessity in flood zones 2 and 3a. The results of the hydraulic modelling will be used to establish the most appropriate locations within the site at detailed design stage.

7.4.4 The Exception Test has been applied to development within flood zone 3a (solar PV panels and potentially ICUs). This shows the benefits of the Proposed Development outweigh the risks, and that the Proposed Development will be safe for its lifetime subject to delivery of SuDS and implementation of a site-wide Flood Warning and Evacuation Plan (FWEP) for construction, operation and decommissioning.

7.4.5 No land within the Order Limits is likely to be needed for present or future flood risk management.

7.4.6 Other forms of flooding, including pluvial, groundwater, drainage, reservoirs and further sources have been considered in the FRA [**EN0110012/APP/LVS/06.03.15.01**] for the individual Solar Development Sites and for the Cable Route Corridor. The risk from these sources is typically considered to be low.

7.4.7 The Proposed Development can therefore be shown to be compliant with flood risk policy set out in NPS EN-1, NPS EN-3, the NPPF and the PPG for Flood and Coastal Erosion, and with relevant local policy.

7.5 Green Belt

7.5.1 SDS 2, 3 and 4, and CRCs 2-6, 3-4, 3-4a and 4-POC, are wholly or partly located within the West Yorkshire Green Belt, as detailed in Table 7-4 and shown in Plate 7-1 below.

Table 7-4 Development within the Green Belt

Site	Whole / part within Green Belt	Total Site Area (ha)	Area of site within Green Belt (ha)	% of site within Green Belt
SDS 2	Part	83.3	44.6	54
SDS 3	Whole	19.9	19.9	100
SDS 4	Part	283.8	101.6	49
CRC 2-6	Part	9.0	4.4	49
CRC 3-4	Whole	2.2	2.2	100
CRC 3-4a	Whole	4.2	4.2	100
CRC 4-POC	Whole	7.2	7.2	100

Relevant Policy Summary

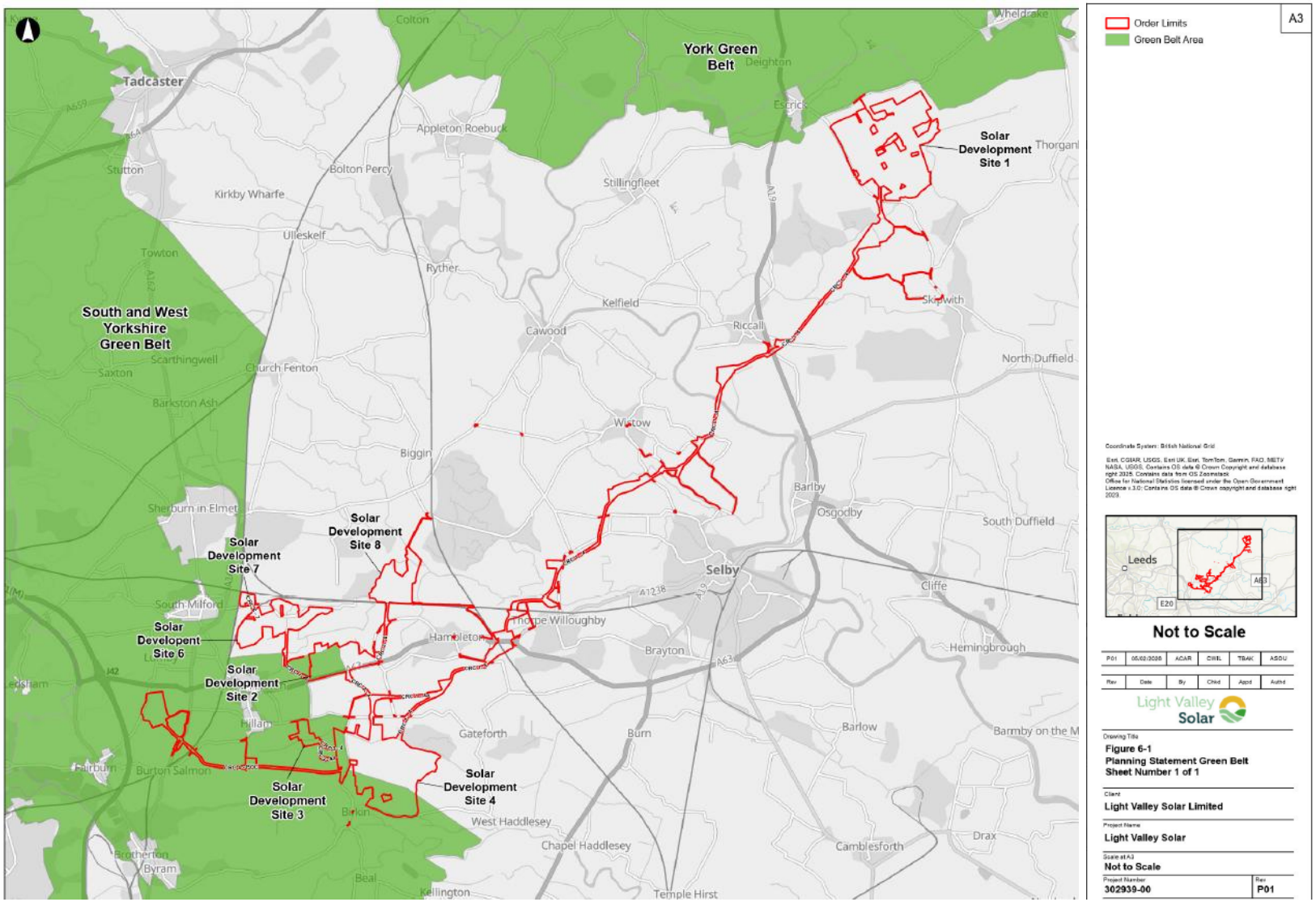
7.5.2 NPS EN-1 paragraph 5.11.2 directs applicants to the National Planning Policy Framework (NPPF), Section 13, for details regarding the purposes of Green Belt policy. The NPPF explains the aim of Green Belt policy is to "*prevent urban sprawl by keeping land permanently open*", and "*the essential characteristics are their openness and their permanence*" (NPPF, paragraph 142). Substantial weight is given to any harm to the Green Belt, and inappropriate development in the Green Belt should not be approved except where very special circumstances apply.

7.5.3 In December 2024, the government made a significant change to Green Belt policy with the introduction of the concept of the 'grey belt'. This section summarises why it can be considered that the Proposed Development is located on grey belt land, meaning it is not inappropriate development within the Green Belt. Further information is provided in Appendix 2.

7.5.4 Green Belt serves five purposes (NPPF, paragraph 143):

1. (a) To check the unrestricted sprawl of large built-up areas;
2. (b) To prevent neighbouring towns from merging into one another;
3. (c) To assist in safeguarding the countryside from encroachment;
4. (d) To preserve the setting and special character of historic towns;
5. (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Plate 7-1 Selby Green Belt



7.5.5 Land can be identified as grey belt where:

1. It does not strongly contribute to Green Belt purposes (a), (b) or (d); and
2. the application of policies in footnote 7 of the NPPF (other than Green Belt) do not provide a strong reason for refusing development.[5]

7.5.6 Development on grey belt land may not be inappropriate where all of the following are demonstrated:

1. The site of the development is grey belt.
2. Development of the site would not fundamentally undermine the purposes of the remaining Green Belt.
3. There is demonstrable unmet need for the development proposed.
4. The site is in a sustainable location (with particular reference to paragraphs 110 and 115 of the NPPF regarding transport).
5. The site provides Golden Rules (not applicable in this case).[6]

7.5.7 It is accepted by the Applicant that if these tests are not met, then the Proposed Development would constitute inappropriate development in the Green Belt for policy purposes albeit it would meet the requirement for Very Special Circumstances due to its status as CNP infrastructure. This is considered further below and in Appendix 2.

Appraisal of the Proposed Development

7.5.8 In summary, the Proposed Development is located on grey belt land because:

1. Land in SDS 2, 3 and 4 does not strongly contribute to Green Belt purposes to: (a) 'check unrestricted sprawl of large built-up areas'; (b) prevent neighbouring towns from merging'; and (d) 'preserve setting and special character of historic towns'.
2. The application of policies[5] relating, in summary, to: habitats, European and nationally important sites for nature conservation, Local Green Space, National Landscapes, and heritage assets, do not provide a strong reason for refusing development. Flood risk does not provide a strong reason for refusing or restricting the development because the relevant policy tests are satisfied (please see Section 7.3.16).

7.5.9 It should be noted that the CRC is not considered in the analysis of grey belt, as this element of the Proposed Development will be underground. The reasoned justification for excluding the CRC from the assessment is set out in Appendix 2.

7.5.10 Further, the Proposed Development is not inappropriate in the grey belt because:

[5] Policies in the NPPF relating to: habitats sites; Sites of Special Scientific Interest; Potential Special Protection Areas and Special Areas of Conservation; Listed or proposed Ramsar sites; Sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites; land designated as Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets; non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments; areas at risk of flooding or coastal change.

[6] The Golden Rules are relevant only to housing development.

3. The Proposed Development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
4. There is a demonstrable unmet need for the development established in NPS EN-1 and the Statement of Need.
5. The site is in a sustainable location with respect to transport owing to the nature of the development and the negligible trip generation associated with the operation of the Proposed Development.

7.5.11 Where NPS EN-1 notes at paragraph 5.11.20 that inappropriate development in the Green Belt should not be approved except in very special circumstances, the Applicant is satisfied that the Proposed Development is demonstrably located on 'grey belt' land and is not inappropriate development in the grey belt under current policy. Therefore, Green Belt policy requiring an assessment very special circumstances of does not need to be engaged.

7.5.12 In summary, SDSs 2, 3 and 4 are partly or wholly within the Green Belt. However, the Proposed Development is demonstrably located within the grey belt as demonstrated through this assessment and meets the test for being 'not inappropriate' in the grey belt. As such, the Proposed Development is acceptable in the Green Belt, and the test of very special circumstances is not engaged.

7.5.13 Should the Secretary of State disagree with the conclusion that the Proposed Development is not inappropriate in the grey belt, the Proposed Development is defined as Critical National Priority (CNP) Infrastructure in NPS-1, which sets out a presumption in favour of CNP Infrastructure projects in the planning balance, where specific requirements are met. The Applicant considers the tests for the presumption in favour of CNP development to be satisfied, as set out in **1.1.14** of this Statement.

7.5.14 Due to the Proposed Development being CNP Infrastructure, it follows that the starting point for the Secretary of State's decision making is that the test of very special circumstances relevant to Green Belt policy, where relevant, is satisfied, in all but the most exceptional circumstances. There are no exceptional circumstances that would disapply this test for this application. Therefore, very special circumstances exist to justify the Proposed Development being located in the Green Belt.

7.5.15 Should the Secretary of State, for any reason, disagree with the conclusion that the Proposed Development is CNP Infrastructure and the very special circumstances test should be met, these exist for the Proposed Development by reason of:

1. the important contribution of large-scale solar development to achieving the UK's ambitious decarbonisation targets;
2. The ability to deliver before 2030;
3. Contribution to the security of energy supply;
4. Contribution to Biodiversity Net Gain significantly above the minimum statutory requirement

5. Contribution to enhanced local connectivity through new permissive paths; and
6. The wider environmental benefits associated with increased production of renewable energy.

7.5.16 Please refer to Appendix 2 of this Statement [**EN0110012/APP/LVS/05.02.02**] for further details on grey belt, CNP Infrastructure and the test of very special circumstances.

7.6 Agricultural Land and Soils

7.6.1 A large proportion of land within the Applicant's initial search area for the Proposed Development is categorised as Best and Most Versatile Land (BMV).

7.6.2 The submitted Site Selection Assessment Report (SSAR) [**EN0110012/APP/LVS/06.03.03.01**] advises how, having initially excluded all Grade 1, 2 and 3 land (including both 3a and 3b land) from the initial site search, it was necessary to widen the search criteria to include BMV land as well as areas in Flood Zone 2 and 3 and land in the Green Belt.

7.6.3 The SSAR confirms, taking account of BMV and other site selection criteria including availability of suitably large sites (40 ha threshold), gradient (5% or less), brownfield land and other environmental constraints, no more suitable and available alternative locations for the Proposed Development were found within a search area of 25 km radius of the Monk Fryston Substation.

7.6.4 The remainder or this section draws on the conclusions of Chapter 5: Agricultural Land and Soils (ES Volume 1) [**EN010012/APP/LVS/06.01.05**] and associated Appendix 5.1: Agricultural Land Classification (ES Volume 3) [**EN010012/APP/LVS/06.01.05.01**]. An outline Soil Resource Management Plan (oSRMP) [**EN0110012/APP/LVS/07.14**] has also been submitted as part of the DCO Application.

Relevant Policy Summary

7.6.5 NPS EN-1, paragraph 5.11.12, require that applicants seek to minimise impacts on the BMV agricultural land and preferably use land in areas of poorer quality. Siting development on BMV agricultural land must be justified, taking into account the economic and other benefits of the land (paragraph 5.11.34).

7.6.6 NPS EN-3 states that the development of ground mounted solar arrays is not prohibited on BMV agricultural land (paragraph 2.10.22). However, applicants are required to "*explain their choice of site, noting the preference for suitable development to be on suitable brownfield, industrial and low and medium grade agricultural land*" where possible (paragraph 2.10.23).

7.6.7 ALC surveys should be carried out where necessary (NPS EN-3, paragraph 2.10.25) and a Soil Resources and Management Plan (paragraph 2.10.26) to minimise adverse impacts on soil health and potential land contamination should be prepared and implemented.

7.6.8 NPS EN-3 and EN-5 outline further policy relevant to temporary construction works of the Proposed Development, noting that the earthworks required should not cause damage or detrimental effects to soil quality. Should topsoil and subsoil be stripped, it should be stored and replaced to minimise soil damage and enable restoration.

7.6.9 NPPF Section 15, *Conserving and enhancing the natural environment*, paragraph 187b states that planning decisions should contribute to enhancing the natural environment by recognising the economic and other benefits of BMV agricultural land. The NPPF was amended in December 2024 to exclude consideration of food production as an important and relevant policy test.

7.6.10 Selby District Core Strategy Local Plan (2013) Objective 17 specifies protection of the BMV agricultural land and Policy SP18, *Protecting and Enhancing the Environment*, is aligned with national policy concerning steering development toward areas of least environmental and agricultural quality.

Environmental Assessment Conclusions

Solar Development Sites

7.6.1 Detailed ALC surveys indicate that approximately 54% of the total land within the SDSs is classed as BMV agricultural land. Approximately 20% (179.4 ha) of the SDSs have BMV land Grades 1 and 2. Approximately 34% (307 ha) of the land is confirmed as Subgrade 3a.

7.6.2 During construction, soils will be subject to compaction and stripping across parts of the sites. This will primarily occur in the vicinity of the SDS Construction Compounds, access tracks and haul road areas, plus at the BESS Compound and the 275 kV Substations on SDSs 1, 2 and 4. Where impacts are anticipated, BMV soils will be stored and replaced as appropriate in order to minimise soil damage and enable restoration.

7.6.3 During operation, solar PV panels will make up the main component of the Proposed Development. Solar PV panels have no demonstrable impact on the quality or condition of the ground below. Therefore, during the operational phase of the Proposed Development, the soil resource under the solar PV panels will remain largely undisturbed. Following decommissioning, the soil quality is expected to have improved from its current status.

7.6.4 In the context of the BESS (10.5 ha) on SDS 2, the land is reported to be of very high sensitivity and subject to a medium magnitude of impact resulting in a major adverse effect which is significant.

7.6.5 The decision to site the BESS in this location took account of the potential impacts on BMV. Table 37 in the SSAR [**EN0110012/APP/LVS/06.03.03.01**] sets out the alternative BESS locations considered within the SDSs. In summary, the selected location in SDS 2 (Field 2.4), as well as meeting size and access criteria, is least constrained for Flood Risk (Flood Zone 1) and by Public Rights of Way compared

to the other potentially suitable SDSs, and for noise impacts on adjacent neighbours, when compared to other locations within SDS 2.

7.6.6 The Substation locations on SDSs 1, 2 and 4 on the other hand would result in minor (SDS 1), and minor to moderate (SDSs 2 and 4) adverse effects which are not significant. The ICUs that may be located on BMV would result in minor to moderate adverse impacts which are not significant.

7.6.7 Table 7-5 sets out the maximum size and proposed locations of the BESS, Substations and ICUs within the Order Limits (approximately 2% of the total area of the SDSs).

Table 7-5 Size and location of built aspects

Type of built aspect	Site	Size of area required	ALC classification of area required
BESS Compound	2	Up to 10.5 ha	Grades 1 and 2
275 kV Substation	1	Up to 1 ha	Subgrade 3b
275 kV Substation	2	Up to 3.5 ha	Grade 2 and Subgrade 3a
275 kV Substation	4	Up to 3.5 ha	Grade 2 and Subgrade 3a
Integrated Conversion Units (ICU)	All	Up to 0.6 ha	Potentially 61 of 123 ICUs (as shown on Figure 2.1: Illustrative Site Layout Plans (ES Volume 2) [**EN0110012/APP/LVS/06.02.02.01**]) mostly Grades 2 and 3a with five potentially located on Grade 1 land in SDSs 2 and 6

7.6.1 At the decommissioning stage, there is a commitment to return all land to landowners. As a result, it will be necessary to retain all excavated soil resources on site, preferably locally to their origin so that they are readily identifiable for reinstatement.

7.6.2 The oSRMP [**EN0110012/APP/LVS/07.14**] sets out the principles for retaining and storing soil resources, regardless of whether they are required for reinstatement in the short-term (as with construction compounds), or at decommissioning (with the built elements of the Proposed Development and the scrapes in SDS 1).

Cable Route Corridor

7.6.3 Representative soil and ALC surveys undertaken within the CRC indicate that 51% of land within the CRC can be classed as BMV agricultural land (Grade 1 at 3%, Grade 2 at 4% and Grade 3a at 44%)7.

7.6.4 During construction, the use of the land within the CRC will be temporarily lost to allow the installation of the underground cables. The soils removed during trenching will be reinstated in order, i.e. subsoil first then topsoil. Any surplus material from the cable void that would need to be removed from site would be

[7] The assessment of agricultural land within the CRC was scoped out of the EIA at EIA Scoping stage. Consequently, the ALC survey results are indicative of agricultural land quality within the CRC as the density of observation is not sufficiently high to provide a definitive classification as is the case with the Solar Development Sites.

subsoil, retaining the full topsoil resource on site. These matters and the process for agreement with landowners would be set out in the detailed Soil Resources Management Plan (SRMP).

7.6.5 The description of the Proposed Development set out in Chapter 2: Proposed Development (ES Volume 1) [**EN0110012/APP/LVS/06.01.02**] confirms the current intention to leave underground cables in-situ at the end of the life of the Proposed Development. Therefore, the decommissioning effects would be less than those likely to occur during the construction phase. Where underground cables would be removed, the mode of removing would be in line with the methodology set out in the oSRMP [**EN0110012/APP/LVS/07.14**] and or adjusted to updates to government policy and good practice at that time. Where the methodology is adjusted, the Principal Contractor would be responsible for setting out an updated methodology for agreement through the oDEMP.

Soil management

7.6.6 Detailed Soil Resources Management Plans (SRMPs) will be prepared in substantial accordance with the Outline SRMP [**EN0110012/APP/LVS/07.14**] submitted with the DCO Application. This will include adopting and implementing good practice measures to minimise damage to soils that remain in place and those that are stripped, stockpiled and reinstated; minimise soil carbon losses; maintain water infiltration; and enhance soil biodiversity.

7.6.7 The Outline Operational Environmental Management Plan makes provisions for effective storage to be addressed in the Operational Environmental Management Plan.

7.6.8 Detailed Decommissioning Management Plans will include soil management measures consistent with the approved construction phase SRMPs and approved detailed OEMPs.

Appraisal of the Proposed Development

Natural England

7.6.9 Between October 2024 and November 2025, the Applicant and their appointed specialist advisors, Reading Agriculture, have actively engaged with Natural England. Meetings and associated correspondence enabled dialogue regarding approaches to surveys, assessment methodology and outcomes of the assessment work. In the latest engagement prior to DCO Application submission, final data set maps were shared and sampling densities discussed and resolved.

Land use

7.6.10 The predominant impact to soils arises from a change in land use, from the agricultural use to solar infrastructure, rather than degradation or loss of the land. The NPS does not preclude such changes in land use, and as noted above, the Proposed Development affects a small proportion of BMV agricultural land at both a local and regional level.

7.6.11 Such changes in land use also need to be considered in the context that:

1. The solar PV panels, making up the majority of the land within the Order Limits, will, following decommissioning, reveal overall improvements to soil quality.
1. Climate change and other environmental pressures are a bigger risk to food production in the UK than solar panels (Clean Energy Superpower Mission, SoS for Energy Security and Net Zero, July 2024).

7.6.12 Notwithstanding this, the Applicant has recognised throughout the development process the policy framework which directs developers to minimise impacts to BMV land and preferring use of lower quality land where possible.

7.6.13 Chapter 3: Alternatives and Design Iteration (ES Volume 1) [**EN0110012/APP/LVS/06.01.03**] and the Site Selection Assessment Report [**EN0110012/APP/LVS/06.03.03.01**] set out the process of site selection undertaken, and demonstrate how impacts to BMV land has been balanced against other factors in determining the SDSs as being the most appropriate location for the Proposed Development, including flood risk, sensitive receptors, heritage impacts and safe access.

7.6.14 Importantly, that site selection process was carried out in the context of the Project Objectives, Objective 5 of which seeks to support the on-going agricultural economy by seeking to site the Proposed Development on land where the agricultural landowners wished to work with the Applicant to bring their land into the Proposed Development. This Project Objective supports the on-going viability and/or profitability of their agricultural land holdings. The Applicant's land use changes therefore should be seen in that context.

7.6.15 The result of that process, is that when taking account of the factors considered, the location of the SDSs was chosen as the most appropriate location – whilst other potentially feasible locations (Potential Development Areas (PDA) 5 – 9) had in some cases (PDAs 8 and 9) potentially less BMV land (based on Natural England indicative maps), they were less suitable when applying the Sequential Test, the Project Objectives and considering key policy tests such as ecology. The Applicant considers that these factors outweigh the impacts to the temporary change of use to BMV land created by the Proposed Development.

7.6.16 Within the Sites, the Applicant has, in progressing an Environmentally Led Design, sought to direct built infrastructure as much as possible, away from highest grade BMV agricultural land. For the reasons set out above, while this has been largely successful for the Substations, some aspects of built infrastructure are located on BMV land, such as the BESS location on SDS 2.

Economic and other benefits of the land

7.6.17 The 2024 Written Ministerial Statement 'Solar and protecting our Food Security and BMV Land' (Ref 26) estimates that, even under the most ambitious scenarios for solar energy, the total area of agricultural land used for solar panels would occupy less than 1% of the UK's agricultural land.

7.6.18 The UK Government Food Security Report (2024) (Ref 27) states that climate change and other environmental pressures, such as soil degradation, water quality and biodiversity, are the biggest risk to food production in the UK. This position was reinforced by the current SoS for Energy Security and Net Zero in the House of Commons on 18 July 2024 regarding the Clean Energy Superpower Mission (Ref 28): "*The biggest threat to nature and food security and to our rural communities is not solar panels or onshore wind; it is the climate crisis, which threatens our best farmland, food production and the livelihoods of farmers*".

7.6.19 Options Agreements have been signed with the affected landowners of the SDSs. Those with farm businesses have agreed to be involved in the Proposed Development on a voluntary basis. They have considered the potential effects on the overall viability, diversity and resilience of their farm businesses. No sterilisation, or severance, of remaining land within the farms will take place. The Proposed Development would provide a long-term, alternative income source that would remove reliance on direct public support from agri-environment schemes whilst still providing environmental benefits. It would offer a stable diversification option for agricultural businesses and provide financial security against volatility in wholesale food commodity markets and yields, protecting the remaining farm operations. All existing tenancies within the SDSs are based on short-term licences only, with no long-term tenancy agreements or succession rights affected by the Proposed Development.

7.6.20 Further, whilst the Proposed Development will deliver a change in the primary use of the land within each of the seven SDSs, some agricultural activities, such as use of land for pasture, could continue. The switch from arable to pasture would allow the land to recover from current more intensive uses, allowing the soil condition and structure to improve. The use of the soils for grassland under solar panels would improve soil health and biodiversity.

Summary

7.6.21 The ES confirms that the Proposed Development would have a direct, long-term (lifetime of the Proposed Development), temporary and reversible moderate adverse effect on Grades 1 and 2 agricultural land, which is significant, and minor adverse effects on Subgrade 3a and 3b agricultural land which is not significant.

7.6.22 Through the site selection process, siting of built infrastructure, the Design Commitments and the application of embedded and additional mitigation and management methods, set out in the oSRMP, oOEMP and oDEMP, impacts on BMV agricultural land have been minimised and mitigated. The overall approach to design and mitigation have been informed through pre-application engagement with Natural England.

7.6.23 In conclusion, the Applicant considers that they have complied with planning policy in respect of site selection and design and agricultural land and the wider benefits for the agricultural businesses, for biodiversity and for delivery of affordable, zero carbon energy, are considered in this context to weigh in favour of the Proposed Development.

7.7 Human Health

7.7.1 Appendix 1.1: EIA Scoping Report (ES Volume 3) [**EN0110012/APP/LVS/06.03.01.01**] details the rationale for scoping out human health as a standalone ES chapter from the EIA assessment, a decision which was supported by PINS in their EIA Scoping Opinion return on 19 December 2024 (see Appendix 1.2: EIA Scoping Opinion (ES Volume 3) [**EN0110012/APP/LVS/06.03.01.02**]).

7.7.2 Health determinants have been considered through the ES in various chapters and assessments which form part of the EIA, including within:

2. Chapter 10: Landscape and Visual (ES Volume 1) [**EN0110012/APP/LVS/06.01.10**]
3. Chapter 11: Noise and Vibration (ES Volume 1) [**EN0110012/APP/LVS/06.01.11**]
4. Chapter 13: Socioeconomics (ES Volume 1) [**EN0110012/APP/LVS/06.01.13**]
5. Chapter 14: Traffic and Movement (ES Volume 1) [**EN0110012/APP/LVS/06.01.14**]
6. Chapter 17: Cumulative and In-Combination Effects (ES Volume 1) [**EN0110012/APP/LVS/06.01.17**]
7. Appendix 16.1: Construction Dust Assessment (ES Volume 3) [**EN0110012/APP/LVS/06.03.16.01.02**]

Relevant Policy Summary

7.7.3 Where a proposed development has an effect on humans, NPS EN-1 requires the ES to assess health and well-being effects on humans by identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate impacts as appropriate (paragraph 4.4.4). This should also include an assessment of cumulative impact on health where appropriate.

7.7.4 NPS EN-1 outlines that direct impacts on health may arise from: increased traffic; air or water pollution; dust, odour; hazardous waste and substances; noise; exposure to radiation; and increases in pests.

7.7.5 Regarding indirect health impacts, NPS EN-1 (paragraph 4.4.6) states that opportunities to promote local improvements to encourage health should be taken, which includes potential impacts on vulnerable groups and those with protected characteristics under the Equality Act 2010.

7.7.6 The NPPF, at Section 8, makes a general statement stating that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

7.7.7 Selby District Council Local Plan (2013) (Ref 6) refers to health various policies in the context of development in the countryside design, infrastructure delivery, green and blue Infrastructure and air quality.

Environmental Assessment Conclusions

7.7.8 The assessment of human health, as a standalone chapter in the ES, was scoped out of further assessment at EIA scoping stage (11 November 2024) with no potentially significant health effects concluded during the construction, operation or decommissioning phases and the nature of the Proposed Development not anticipated to have significant long term negative health impacts.

7.7.9 It was concluded in the EIA Scoping Report that effects on health determinants at individual receptors would be assessed elsewhere in the ES through the relevant topic assessments.

7.7.10 The ES includes an assessment of likely significant effects of the Proposed Development on health, including factors such as visual effects, air quality, traffic and noise, as well as broader impacts on physical and mental wellbeing (see Chapter 4: Approach to EIA (ES Volume 1) [**EN0110012/APP/LVS/06.01.04**]). No likely significant effects on health have been identified within the topic chapters. The in-combination assessment [**EN0110012/APP/LVS/06.01.17**] concludes that there are no residual effects on receptor groups that would combine to produce a more significant effect than the topic related effects already identified for each receptor group.

7.7.11 The only potential link to human health may be associated with the identification of some potential for cumulative landscape and visual effects during construction. However, no significant cumulative landscape or visual effects beyond year 1 of operation have been identified.

7.7.12 Management plans including, but not limited to, those for managing construction dust, fire safety management, pollution and spillage, traffic, and environmental management plans are submitted alongside the DCO Application and will be put in place to ensure that no significant adverse impacts on health arise from the Proposed Development. This is further addressed in the Outline Construction Environmental Management Plan (oCEMP) [**EN0110012/APP/LVS/07.02**].

7.7.13 Therefore, a separate assessment of human health, and associated cumulative effects assessment, is not considered to be required and was scoped out of further assessment at PEIR and ES stages.

Appraisal of the Proposed Development

7.7.14 Although scoped out as a standalone assessment, consideration for human health has informed the consultation strategy, throughout the pre-application stage. Recognising the importance of meaningful engagement, the Applicant has continued to engage with consultees to seek to reduce impacts on wellbeing and mental health. The Applicant is committed to continuing to communicate and engage throughout the development process to provide clarity and reassurance.

7.7.15 NPS EN-1 states that "*where the proposed project has an effect on humans, the ES should assess these effects*". Effects have been assessed within the individual topic chapters of the ES. Any potential effects on health during

construction would be managed through the proposed management plans (e.g. oCEMP and oCTMP) and would be temporary and short-term in nature.

7.7.16 During operation of the Proposed Development, opportunities to provide local amenity and improvements to encourage health improvements have been considered, with some committed to and secured by the DCO Application at this stage. Any implemented measures, such as new permissive paths, will create the potential for enhance connectivity in the local area and may help to improve recreation in the immediate vicinity, secondarily benefitting local population health and wellbeing in the long-term.

7.7.17 The SoS, when deciding whether to grant a DCO, is subject to the Public Sector Equality Duty. Although this is for the SoS to discharge, not the Applicant, in response to paragraph 4.4.6 of NPS EN-1, an Equality Impact Assessment (EqIA) [**EN0110012/APP/LVS/05.02.04**] has been prepared to consider the potential impacts on vulnerable groups and those with protected characteristics and assist the SoS in carrying this duty.

7.7.18 The EqIA considers how the Proposed Development may affect people with protected characteristics as defined by the Equality Act 2010. It identifies both the potential beneficial and adverse equality impacts during the construction, operation and decommissioning phases of the Proposed Development. It considers differential and disproportionate impacts in line with recognised good practice and guidance, drawing on demographic evidence from the Study Area to assess where groups may be more sensitive to change or unevenly affected.

7.7.19 The EqIA concludes that the Applicant has taken steps to support inclusive and accessible consultation and engagement as part of the pre-application process, leading to a positive equality impact by reducing barriers to participation.

7.7.20 When considering potential effects on vulnerable groups and those with protected characteristics, the assessment concludes that the construction phase has the potential to generate short term employment and supply chain benefits, as well as some temporary negative equality impacts related to impacts on PRoW, elevated levels of traffic, noise and air pollutants, and changes to pedestrian amenity, fear and intimidation, accessibility and severance.

7.7.21 With mitigation measures proposed the potential for significant negative equality impacts is unlikely and the Proposed Development is not expected to cause major equality effects to vulnerable groups or people with protected characteristics. The assessment demonstrates that the Applicant has given due regard to the requirements of the Equality Act 2010 and the Public Sector Equality Duty (PSED).

Summary

7.7.22 The Applicant concludes that the Proposed Development is compliant with NPS EN-1 in respect to Human Health, having considered potential effects through individual topic chapters of the ES and undertaking an EqIA. The Applicant has

also proactively explored opportunities to promote good health as part of the consultation process and through the proposed design.

7.7.23 These various assessments demonstrate, that with commitments made through the various management plans submitted alongside the application, impacts on Human Health would not be significant and it is not expected that the Proposed Development would cause major equality effects to vulnerable groups or people with protected characteristics.

7.8 Natural Environment and Biodiversity

7.8.1 The SDSs and CRCs are located primarily on agricultural land used for arable farming.

7.8.2 There are no designated sites of international importance within the Order Limits. However, the Proposed Development does sit within the SSSI Impact Risk Zone of four SSSIs, see Figure 6.3 SSSI Impact Risk Zones 2 km [**EN0110012/APS/LVS/06.02.06.03**].

7.8.3 No geological Sites of Special Scientific Interest (SSSI) or locally designated geodiversity sites have been identified within the Order Limits, or within 250 m, therefore this matter was scoped out at EIA Scoping stage (see Chapter 4: Approach to EIA (ES Volume 1) [**EN0110012/APP/LVS/06.01.04**]). Post EIA Scoping, and changes to the proposed SDSs (removal of SDS 5 and addition of SDSs 6, 7 and 8), it was confirmed that no further geological Sites of Special Scientific Interest (SSSI) or locally designated geodiversity sites were identified.

7.8.4 For habitats, as a result of the embedded mitigation, informed by environmentally led design, the Proposed Development has been designed to retain the most valuable habitats (those of local importance or above), such as arable field margins, neutral grassland, scrub, woodland, ponds, scattered trees, hedgerows and watercourses.

7.8.5 No Tree Preservation Orders (TPOs), Conservation Areas or areas of woodland are present within the SDSs. There are woodland copses located immediately adjacent to some of the SDSs, Gilbertson Wood (ancient woodland) located north east of SDS 1, and small areas of woodland are located within the CRC.

7.8.6 One tree, T2309, within influencing distance of the wider Order Limits is covered by TPO 5/2003. This tree may require minor pruning to facilitate construction access. There is one ancient woodland (Gilbertson's Wood) within influencing distance of Solar Development Site 1. Nine veteran/ancient trees were identified during the survey. No trees with statutory protection or ancient or veteran trees will be removed to facilitate the Proposed Development. Site access will pass beneath one veteran tree (T475); measures are proposed in the Arboricultural Impact Assessment [**EN0110012/APP/LVS/06.03.16.02**] to prevent the tree being damaged during construction.

7.8.7 Within the SDSs, ditches are the only watercourses present. Within the CRC ditches form the boundary features of arable fields, with the majority of the habitat

within the corridor comprising intensively managed cropland. The River Ouse and Selby Dam also pass across the CRC.

7.8.8 For protected species identified in the ES, within the Order limits, badger setts, bat activity, water vole activity have been identified. Habitats are also known to be suitable for brown hare, hedgehog and, to a lesser extent, invertebrates.

7.8.9 The Proposed Development area provides breeding bird habitat for several farmland and wetland birds, with up to 47 territories recorded for species like skylark, lapwing, corn bunting and reed bunting. The CRC supports similar species, with features suitable for breeding barn owl, red kite, hobby, peregrine, and kingfisher.

7.8.10 The majority of watercourses within the SDSs and along the CRC are assessed as unlikely to support fish species of conservation value. Only minor fish species were recorded at representative eDNA survey locations along the CRC.

7.8.11 Within the wider Order limits, the River Ouse is a known migration route for European eel, sea-going salmonids and sea-going lamprey species, and the Selby Dam supports a common coarse fish assemblage and European eel.

7.8.12 Chapter 6: Biodiversity (ES Volume 1) [**EN0110012/APP/LVS/06.01.06.00**] assesses the impact of the Proposed Development on important ecological features. This chapter is supported by a series of appendices and a Biodiversity Net Gain (BNG) Report [**EN0110012/APP/LVS/05.09**].

7.8.13 Ornithological impacts are assessed separately and reported in Chapter 12: Ornithology (ES Volume 1) [**EN0110012/APP/LVS/06.01.12**].

7.8.14 A shadow Habitat Regulations Assessment (sHRA) report [**EN0110012/APP/LVS/06.03.06.01**] has also been prepared. It has been agreed with Natural England that it will not be necessary to pursue a derogation case under the Habitats Regulations for the Proposed Development.

7.8.15 An Arboricultural Impact Assessment (AIA) has been undertaken, the results of which are presented in Appendix 16.2: Arboricultural Impact Assessment (ES Volume 3) [**EN0110012/APP/LVS/06.03.16.02**].

Relevant Policy Summary

7.8.16 NPS EN-1 Section 5.4 addresses biodiversity and geological conservation, outlining the approach to assessment of impacts and the requirement for mitigation where necessary.

7.8.17 Paragraph 5.4.18 states "*where the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England and Wales), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats*".

7.8.18 Applicants are required to show how opportunities for biodiversity conservation and enhancement have been promoted (paragraph 5.4.20); consider wider

ecosystem services and benefits of natural capital (paragraph 5.4.21); and embed opportunities for nature inclusive design (paragraph 5.4.22).

7.8.19 Paragraph 5.4.26 confirms the need to consult the appropriate bodies to determine whether an HRA Appropriate Assessment is required.

7.8.20 Paragraphs 5.4.43 confirms the general principle that development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservations interests including through consideration of reasonable alternatives. Measures to avoid, mitigate, compensate and enhance should be integral to the Proposed Development and should be clearly demonstrated by the Applicant (paragraph 4.5.36). This principle is explicitly extended to consideration of impacts from direct cooling systems on receiving waters, including their ecology (paragraph 4.5.38).

7.8.21 Applicants should produce a Biodiversity Management Strategy (paragraph 4.5.37).

7.8.22 NPS EN-3 Paragraphs 2.10.67-84 outline the ecological and environmental considerations for solar farm developments, emphasising the importance of conducting thorough ecological assessments, minimising negative impacts, and maximising biodiversity benefits in solar farm developments. Guidance is provided on various aspects of the development process to ensure environmental sustainability.

7.8.23 NPS EN-5 outlines the potential risks posed by electricity networks infrastructure to birds and outlines that particular consideration should be given to functionally linked land (FLL) (paragraphs 2.9.3-6).

7.8.24 NPPF Section 11 encourages benefits to rural land, including net environmental gains and new habitat creation (paragraph 125(a)).

7.8.25 NPPF Section 15 focuses on the conservation and enhancement of the natural environment. Paragraph 193 outlines that planning permission should be refused where significant harm to biodiversity cannot be avoided, mitigated, or compensated.

7.8.26 Paragraph 195 notes that the presumption in favour of sustainable development does not apply where likely significant effects on a habitats site are identified unless an appropriate assessment concludes no adverse effects the integrity of the habitats site.

7.8.27 Selby District Core Strategy Local Plan (2013) Policy SP18, *Protecting and Enhancing the Environment*, sets out local priorities for protecting and enhancing the environment, including biodiversity, geodiversity, and natural habitats. Policy ENV9, *Sites of Importance for Nature Conservation*, ENV11, *Ancient Woodland*, ENV12, *River and Stream Corridors*, ENV13, *Development Affecting Ponds*, are also relevant to the consideration of ecological impacts.

Environmental Assessment Conclusions

Embedded mitigation

7.8.28 The Proposed Development has been carefully designed to avoid loss of irreplaceable habitats, including ancient woodland and veteran trees.

7.8.29 A suite of outline management plans have been created for the Proposed Development to secure delivery of the recommended mitigation measures. These Management Plans include:

1. Outline Construction Environment Management Plan (oCEMP) [**EN0110012/APP/LVS/07.02**] (including an Invasive Species Management Plan)
2. Outline Operational Environment Management Plan (oOEMP) [**EN0110012/APP/LVS/07.03**]
3. Outline Decommissioning Environment Management Plan (oDEMP) [**EN0110012/APP/LVS/07.04**]
4. Outline Landscape and Ecological Management Plan (oLEMP) [**EN0110012/APP/LVS/07.05**] (including an Invasive Species Management Plan)
5. Outline Bird Mitigation Area Management Plan (oBMAMP) [**EN0110012/APP/LVS/07.19**]
6. Outline Battery Safety Management Plan (oBSMP) [**EN0110012/APP/LVS/07.06**]
7. Outline Public Rights of Way Management Plan (oPRoWMP) [**EN0110012/APP/LVS/07.09**]
8. Outline Construction Traffic Management Plan (oCTMP) [**EN0110012/APP/LVS/07.12**]
9. Outline Soil Resources Management Plan (oSRMP) [**EN0110012/APP/LVS/07.14**]

7.8.30 Embedded mitigation for construction includes: avoiding sensitive receptors and habitats / woodland and hedgerows when siting construction compounds; minimum buffers around trees (10 m, or root protection area (RPA), which ever is greater) and veteran / ancient trees (15x stem diameter or RPA, whichever is greater); 10 m from bank top for all watercourses (50 m from bank top of the River Ouse); suitable buffer distances from protected species; permeable fencing for small mammals; and timing of works that would increase noise and vibration around watercourses to outside peak migration periods for lamprey and Atlantic salmon.

7.8.31 Operational phase embedded mitigation includes positioning of crossing cables below watercourses, including the River Ouse and Selby Dam and IDB watercourses, at a minimum depth of 5 m below the bed. Cables do not typically produce electric fields above ground due to shielding provided by the earth and so reduces the residual EMF emitted within the water column. Other embedded mitigation measures include: use of motion sensitive lighting; landscape planting

within buffer zones where possible to create green corridors and provide habitats for ecology; permeable fencing suitable for small mammals; and Public Rights of Ways and paths will be appropriately fenced / enclosed to reduce anthropogenic disturbance.

7.8.32 During decommissioning mitigation measures will be dependent on the future baseline. As a result, pre-decommissioning surveys and assessments will be required to identify suitable embedded mitigation measures with reference to all applicable biodiversity policies and legislation.

7.8.33 Full details of recommended embedded mitigation measures are set out in Chapter 6: Biodiversity (ES Volume 1) [**EN0110012/APP/LVS/06.01.06**].

Designated sites

7.8.34 Chapter 6: Biodiversity (ES Volume 1) [**EN0110012/APP/LVS/06.01.06**], informed by extensive survey work (see ES Volume 3, Appendices 6.1-6.7), concludes that any effects resulting from the Proposed Development on sites of international importance within 20 km of Order Limits, (namely Skipwith Common SAC and SSSI, Lower Derwent Valley SAC, Ramsar and SPA and Humber Estuary SAC, Ramsar and SPA) are negligible and not significant.

Habitats

7.8.35 As a result of the environmentally led design approach and extensive embedded mitigation, the Proposed Development can be shown to retain the most valuable habitats (those of local importance or above), such as arable field margins, neutral grassland, scrub, woodland, ponds, scattered trees, hedgerows and watercourses.

7.8.36 The creation of grassland habitat in place of cropland beneath the solar panels and the temporary (60 years) cessation of farming practices adjacent to grassland, such as machinery use and chemical input will result in a significant beneficial effect in the extent and quality of grassland habitats within the SDSs. Given the size and quality of the additional grassland habitat created, this benefit would be significant at county level.

7.8.37 Where hedgerows / treelines are removed within the CRC, these habitats will be reinstated at the end of the works to maintain the habitat provision within the Oder Limits.

Species

7.8.38 Pre-commencement surveys for otter, badger and water vole will be conducted. Where required, Natural England Licenses will be sought (see Other Consents and Licenses Statement [**EN0110012/APP/LVS/05.04**].

7.8.39 Regarding amphibians, further surveys will be conducted in April 2026. Should these return positive results, measures to ameliorate the risk of accidental killing / injury of great crested newts (GCN) within 250 m of ponds will be secured

through Precautionary Working Methods, GCN licensing, on-site habitat creation and / or via registration under District Level Licensing.

7.8.40 On the basis the recommended additional mitigation (set out in Chapter 6: Biodiversity (ES Volume 1) [**EN0110012/APP/LVS/06.01.06**]) is implemented, the ES reports that no residual significant adverse effects remain for construction nor the operational phases. At decommissioning phase, it is possible that the grassland habitat will revert to cropland beneath the solar panels. As a result, there may be a possible residual significant adverse effect, the geographical scale of which cannot be determined at this time.

BNG

7.8.41 The BNG Report submitted with the Application indicates that BNG in excess of 10% could be achieved, with total net percentage changes of 78.30% for habitats, 72.12% for hedgerow and 10.42% for watercourses based on the current proposed design.

Ornithology

7.8.42 Chapter 12: Ornithology (ES Volume 1) [**EN0110012/APP/LVS/06.01.12**] finds no direct impacts for any European sites. However, the assessment has identified potentially significant adverse effects on FLL to the nearest relevant European site, including the Lower Derwent and Humber Estuary SPAs, and terrestrial and riparian habitats supporting breeding-birds without mitigation.

7.8.43 Alongside other mitigation measures, a bespoke Bird Mitigation Area of 61.76 ha, providing alternative, disturbance free and targeted habitat, is proposed in the southern extent of SDS 1. The Bird Mitigation Area will comprise a mosaic of open, wet grassland, shallow scrapes and seasonal surface-water features, specifically designed to support wintering and passage waders and wildfowl, including lapwing, golden plover, greylag goose and curlew.

7.8.44 The Bird Mitigation Area is strategically located within the SSSI Impact Risk Zone and closest to the Lower Derwent Valley SPA and Ramsar site to provide ecological connectivity to internationally designated areas. Its purpose is to enable displaced non-breeding bird species to relocate to nearby habitat of desirable structure and function. Over time, this managed landscape is expected to act as a ‘hot spot,’ contributing to local population stability in line with local SPA conservation objectives, delivering considerable benefits beyond mitigation requirements.

7.8.45 Providing a mosaic of habitat, the Bird Mitigation Area will offer diverse foraging and refuge opportunities during high water or disturbance within surrounding farmland, increasing resilience and carrying capacity. Wet features will boost invertebrate productivity and seed-rich vegetation, supporting prey for dabbling ducks and waders such as teal, wigeon, and lapwing. Displaced birds should redistribute locally, resulting in a net ecological gain in functional foraging resources. This mitigation measure is secured through the LEMP and BMAMP.

7.8.46 An Outline Bird Mitigation Area Management Plan [**EN0110012/APP/LVS/07.19**] has been submitted with the DCO Application, and this requires that the Bird Mitigation Area is implemented and functional before the commencement of the non-breeding bird season.

7.8.47 With embedded and additional mitigation applied (secured through the oCEMP and oLEMP), no significant residual effects on ornithological receptors are anticipated.

Habitat Regulations

7.8.1 The sHRA submitted concludes that, with the proposed mitigation secured, the Proposed Development would not result in an 'Adverse Effect on Integrity' for the Lower Derwent Valley SPA/Ramsar, Humber Estuary SPA/Ramsar or Humber Estuary SAC, either alone or in combination with projects.

Appraisal of the Proposed Development

7.8.2 The Applicant's ES clearly sets out the details of effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance, on protected species, and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.

7.8.3 A Biodiversity Management Strategy has not been produced because the measures that would be covered by a strategy will be covered under the CEMP and LEMP.

Mitigation hierarchy

7.8.4 The ES has demonstrated how, through application of environmentally led design, the Applicant has effectively followed the mitigation hierarchy. This has been achieved firstly by considering alternatives as far as reasonably practicable and reported in the submitted Site Selection Assessment Report [**EN0110012/APP/LVS/06.03.03.01**]; secondly, embedding good practice Design Principles and parameters to shape design decision making (Design Parameters and Comments Report [**EN0110012/APP/LVS/05.06**]); and finally, where significant effects have been reported, all construction and operational impacts can be mitigated, with no residual effects.

7.8.5 The submitted Outline Environmental Masterplan (OEM) [**EN0110012/APP/LVS/06.02.03.01**] illustrates one way in which opportunities for biodiversity conservation and enhancement can be achieved, including delivery of well in excess of 10% Biodiversity Net Gain.

7.8.6 Examples of enhancements, beneficial for otters, bats, water vole, amphibians, reptiles, brown hare, hedgehogs and invertebrates, include (but are not limited to):

10. the creation of grassland habitat in place of cropland beneath the solar panels;

11. the halting of farming practices adjacent to grassland (for the lifetime of the Proposed Development);
12. the creation of scrub habitat; and
13. additional areas of hedgerow and tree habitat.

Summary

7.8.7 In accordance with biodiversity and geological environmental considerations set out in NPS EN-1, NPS EN-3, EN-5, the NPPF and relevant local planning policies, the Proposed Development avoids harm to the natural environment, providing significant enhancements to the current baseline.

7.9 Air Quality and Emissions

7.9.1 There are no operational plant or combustion processes as part of the Proposed Development (the heating, ventilation and air conditioning system for the BESS will not produce emissions to air).

7.9.2 During the construction and decommissioning phases impacts are anticipated to be associated with construction dust and associated increases in particulate matter. There is also potential for local air quality impacts associated with construction and decommissioning traffic exhaust emissions.

7.9.3 A key consideration for air quality is the potential for a fire within the BESS, which would result in unplanned emissions of Hydrogen Fluoride. Although unlikely, a battery fire would need to be allowed to extinguish itself. For this reason, the BESS design incorporates appropriate spacing between BESS Enclosures to prevent a fire spreading. The BESS has also been located at least 100 metres away from the nearest sensitive receptors.

7.9.4 During the operational phase, there is potential for local air quality impacts due to operational vehicle movements resulting from traffic exhaust and fine particulate matter.

Relevant Policy Summary

7.9.5 NPS EN-1 Section 5.2 outlines that energy infrastructure can have adverse impacts on air quality through the construction, operation and decommissioning phases. As a result, impacts on human health from nitrogen oxides (NO_x) and particulate matter, and impacts on ecology through eutrophication from NO_x and ammonia, should be considered.

7.9.6 NPS EN-3 does not include further requirements for air quality in relation to solar schemes beyond the general requirements in NPS EN-1.

7.9.7 NPS EN-5 does not include further requirements for air quality beyond general requirements for good design for the siting of substations in accordance with the Horlock Rules[8].

7.9.8 The NPPF paragraph 192 states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, considering the presence of Air Quality Management Areas and Clean Air Zones, including cumulative impacts. Opportunities to improve air quality or mitigate impacts should be identified.

7.9.9 The Selby District Core Strategy (2013) (Ref 6) refers to air quality in Policy SP18, which seeks to protect and enhance the environment. The Selby District Local Plan (2005) (Ref 10) specifically supports renewable energy in Policy ENV6, provided the proposal would not give rise to nuisance, including by virtue of emissions.

Environmental Assessment Conclusions

7.9.10 A full air quality assessment has been scoped out the EIA because, as set out in the EIA Scoping Report, the predicted impacts are not expected to result in significant effects. Where potential impacts are identified, they will be managed through the measures detailed in the management plans submitted with the DCO Application, including:

1. Outline Construction Environmental Management Plan (oCEMP) [**EN0110012/APP/LVS/07.02**]
2. Outline Decommissioning Environmental Management Plan (oDEMP) [**EN0110012/APP/LVS/07.04**]
3. Outline Battery Fire Safety Management Plan (oBFSMP) [**EN0110012/APP/LVS/07.06**]

7.9.11 A Construction Dust Assessment [**EN0110012/APP/LVS/06.03.16.01**] has been prepared. This assessment considers potential dust soiling, human health and ecological effects, where applicable, at existing sensitive receptor locations, as a result of demolition, earthworks, construction and track-out of dirt and mud onto the public highway. The Assessment identifies appropriate site-specific mitigation measures, with a commitment to update the Assessment prior to development. The Construction Dust Assessment has been used to inform the oCEMP and oDEMP.

7.9.12 Volume 3 of the ES includes the BESS Fire Emissions Modelling Technical Note [**EN0110012/APP/LVS/ 06.03.16.05**] which concludes that based on the factors of distance to the nearest locations of human exposure and the anticipated short-term nature of a fire incident, there would be no significant air quality effects as a result of a BESS fire incident.

[8] Horlock Rules are guidelines for the design and siting of substations established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants' proposals for the infrastructure associated with new overhead lines.

Appraisal of the Proposed Development

7.9.13 The Proposed Development is not expected to create significant adverse impacts on air quality, and as such, a full air quality assessment has been scoped out of the Environmental Statement. Where impacts have been identified, these are proposed to be managed through appropriate management plans.

7.9.14 Requirements of national and local policy with respect to air quality are satisfied. Impacts, where identified, will be appropriately mitigated through Management Plans for the construction, operational (to manage impacts from replacement activities) and decommissioning phases. The risk of a fire within the BESS, although unlikely, has been minimised through embedded design and risks are assessed and will be managed through the measures set out in the oBSMP. In the event of a fire incident this would not affect visibility to a level that would impact on safety on the A63 which is recognised as a key strategic connection within the local area.

7.10 Greenhouse Gas Emissions

7.10.1 Emissions generated by the Proposed Development are not geographically limited and have a global effect rather than directly affecting local receptors. In line with Institute of Sustainability and Environmental Professionals (ISEP formerly known as IEMA) guidance, the receptor when considering greenhouse gas emissions is therefore the global atmosphere.

7.10.2 In considering potential effects, the focus of assessment work undertaken is the net GHG emissions arising from each stage of the Proposed Development which are then compared with a baseline Do Minimum scenario to quantify the net impacts. Potential benefits of the Proposed Development are also considered during the operational phase and this compares the GHG intensity of the Proposed Development to that of the National Grid average GHG intensity.

Relevant Policy Summary

7.10.3 Building on the EIA Regulations, Section 5.3 of NPS EN-1 sets out the matters to be included in a Greenhouse Gas (GHG) assessment as part of the Environmental Statement. The purpose of this assessment is to demonstrate how emissions are driven down at every stage of the proposed development and ensure they are minimised as far as possible. Policy requires that mitigation measures should be a combination of nature-based and technologically-based, and steps to minimise or offset emissions are to be set out in a GHG Reduction Strategy. The policy directive of NPS EN-1 is reflected in Local Plan Policy SP15 (Sustainable Development and Climate Change) as well as Section 14 of the NPPF.

Environmental Assessment Conclusions

7.10.4 Chapter 9: Greenhouse Gas Emissions (ES Volume 1) [**EN0110012/APP/LVS/06.01.09**] assesses the likely significant effects arising

from GHG and makes reference to additional relevant legislation. The chapter is supported by a GHG Emissions Assessment [**EN00110012/APP/LVS/06.03.09.01**] at Appendix 9.1, which gives a detailed account of the assumptions used.

7.10.5 ES Chapter 9 outlines that the adverse impact at the construction phase is minor and not significant on the basis of the implementation of good practice and additional mitigation such as adherence to the PAS 2080 Carbon Management Hierarchy. During the operation phase, impact is concluded to be beneficial and significant, similarly due to implementation of good practice but also the active generation of low carbon electricity. At decommissioning, the impact is projected to be the same as the construction phase. It is also noted that in terms of cumulative impacts, the receptor, unlike other aspects of the proposal, is the global climate, and so a cumulative assessment is considered inappropriate.

Appraisal of the Proposed Development

7.10.6 The Proposed Development complies with the requirements within NPS EN-1, local policy (SP15) and Section 14 of the NPPF having provided a GHG assessment through Chapter 9: Greenhouse Gas Emissions (ES Volume 1) [**EN0110012/APP/LVS/06.01.09]** which includes a range of embedded mitigation measures which seek to minimise GHG emissions wherever possible at the various project lifecycles.

7.10.7 The Proposed Development also supports the aims within NPS EN-3 which recognises solar as one of the most cost effective, versatile and effective technologies to reduce national GHG emissions.

7.10.8 The assessment work undertaken demonstrates that whilst activities required during all stages (construction, operation and decommissioning) would lead to a minor adverse impact which is not significant in EIA terms, the delivery of renewable energy from the operational phase leads to a net significant beneficial effect in GHG emissions when considered the lifecycle of the Proposed Development, aligning with overarching government policy and strategy to reduce GHG emissions and produce clean energy.

7.10.9 GHG reduction measures will be secured through the CEMP, OEMP and DEMP.

7.11 Historic Environment

7.11.1 The Proposed Development is located within a rural area with potential for archaeological remains. Other heritage assets potentially impacted by the Proposed Development include Conservation Areas, Listed Buildings and Important Hedgerows.

7.11.2 The Application is accompanied by a heritage assessment, set out in Chapter 8: Cultural Heritage (ES Volume 1) [**EN0110012/APP/LVS/06.01.08**], which comprehensively assesses the impact of the Proposed Development on heritage assets during the construction, operation and decommissioning phases.

7.11.3 Geophysical surveys have been completed, as well as proportionate trial trenching, to understand what is beneath the ground.

7.11.4 The assessment utilises a Study Area to identify relevant heritage assets, which reaches beyond the Order Limits. This is because the setting of heritage assets will extend beyond the assets themselves.[9] A further 16 heritage assets have been included in the assessment at the request of Leeds City Council.

7.11.5 Heritage assets with the potential to be impacted by the Proposed Development are set out in Section 8.7 of the ES Chapter 8 and in full in Appendix 8.5: Statements of Significance and Impact Assessment (ES Volume 3) [**EN0110012/APP/LVS/06.03.08.05**]. Effects arising from changes in the setting of heritage assets, including listed buildings, scheduled monuments and conservation areas have been assessed.

Relevant Policy Summary

7.11.6 The Infrastructure Planning (Decisions) Regulations 2010 (Ref 29) prescribe tests for protection of schedule monuments, listed buildings and conservation areas. Provision 3 of the Regulations require the Secretary of State in decision making to have regard to: desirability of preserving listed buildings and their settings and or any features of special architectural or historic interest; preserving or enhancing the character or appearance of conservation areas; and the desirability of preserving schedule monuments or their settings.

7.11.7 NPS EN-1 sets out generic heritage considerations in Section 5.9. Applicants are required to undertake an assessment of likely significant heritage impacts of the proposed development as part of the EIA and describe these along with how the mitigation hierarchy has been applied in the ES. This should include consideration of heritage assets above, at and below the surface of the ground. Cumulative impacts should also be considered (paragraph 5.9.11).

7.11.8 As part of the ES, the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage asset, and no more than is sufficient to understand the potential impact on significance (paragraph 5.9.12).

7.11.9 Applicants are encouraged to make a positive contribution to the historic environment where opportunities exist to do so, for example through sensitive design (paragraph 5.9.15).

7.11.10 Paragraphs 5.9.18 to 5.9.22 relate to mitigation. Documentary records are not as valuable as retaining heritage assets, so the ability to record evidence should not be determinative in deciding whether loss or heritage assets should be permitted. Where loss is justified, in whole or in part, the Secretary of State will require the Applicant to record and advance understanding of the significance of the asset

[9] A radial buffer of 1-2 km has been used for the Solar Development Sites (1 km for non-designated heritage assets, and 2 km for designated heritage assets. A radial buffer of 500m has been used for the Cable Route Corridor.

before any loss occurs. Where appropriate, requirements will be imposed on the Development Consent Order.

7.11.11 Where there is a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction (paragraph 5.9.22).

7.11.12 NPS EN-1 sets out requirements for Secretary of State decision making in paragraphs 5.9.23 to 5.9.37. This includes giving great weight to the conservation of heritage assets. The more important the asset, the greater the weight should be – this is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance (paragraph 5.9.27). Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification (paragraph 5.9.29).

7.11.13 Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 5.9.33).

7.11.14 In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 5.9.34).

7.11.15 When considering applications affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting of such assets and treat applications that preserve or enhance settings favourably.

7.11.16 NPS EN-3 provides specific considerations for solar energy projects (paragraphs 2.10.99 to 2.10.111). Key points from NPS EN-3 are:

1. Impacts of solar PV developments on the historic environment will require expert assessment and may have effect both above and below ground.
2. Above ground impacts may include effects on the setting of Listed Buildings and other designated heritage assets as well as on Historic Landscape Character.
3. Below ground impacts, although generally limited, may include direct impacts on archaeological deposits through ground disturbance associated with trenching, cabling, foundations, fencing, temporary haul routes, etc.
4. Solar PV developments may have a positive effect by protecting archaeological assets as the site is removed from regular ploughing and shoes or low-level piling is stipulated.
5. Applicant assessments should be informed by Historic Environment Records or the local authority.
6. Where a site has the potential to include heritage assets with archaeological interest, the Applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation. The extent of any investigative

work should be proportionate to the sensitivity of, and extent of, proposed ground disturbance.

7. Applicants should take account of the results of historic environment assessments in their design proposal.
8. Applicants should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.
9. Careful consideration should be given to the impact of large-scale solar farms which depending on their scale, design and prominence, may cause substantial harm to the significance of the asset (as significance derives from the physical presence of the asset and its setting).

7.11.17 The ability of applicants to microsite specific elements of a development during construction should be an important consideration when assessing risk of damage to archaeology.

7.11.18 Section 16 of the NPPF sets out national policy for conserving and enhancing the historic environment. According to the NPPF, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

7.11.19 Non-designated heritage of archaeological interest and unrecorded archaeology which are/is demonstrably of equivalent significance to scheduled monuments should be considered subject to the policies for designated heritage as a monument under the definition of Section 61(12) of the Ancient Monuments and Archaeological Areas Act 1979.

7.11.20 The NPPF defines three levels of harm to heritage assets: substantial harm, less than substantial harm, and no harm. It also defines the heritage interests that contribute to the cultural significance of heritage assets.

7.11.21 Local policies regarding the historic environment are set out in Selby's Core Strategy 2013 (Policy SP18) and The Selby District Local Plan 2005 (policies ENV22, ENV27 ad ENV28). These policies are consistent with the NPPF in seeking to preserve heritage assets. Policy SP18 seeks to conserve those historic assets that contribute most to the distinct character of the District and realise the potential contribution they can make towards economic regeneration, tourism, education and quality of life.

7.11.22 Policy ENV27 relates to scheduled monuments, or other nationally important archaeological sites or their settings, setting out a presumption in favour of their physical preservation. In exceptional circumstances where the need for the development is clearly demonstrated, development will only be permitted where archaeological remains are preserved in situ through sympathetic layout or design of the development.

7.11.23 Policy ENV28 relates to other archaeological remains, requiring remains to be preserved in situ through careful design and layout of new development. Where this is not justified, arrangements need to be made to allow archaeological investigation and recording to take place.

Environmental Assessment Conclusions

7.11.24 One designated heritage asset has been identified within the Order Limits – Grade II listed Milestone approximately 0.5 miles east of Junction with Lowfield Road (southern verge of the A63) within CRC 2-4. However, the Milestone located in a highway verge, will not be affected by the Proposed Development.

7.11.25 130 designated heritage assets have been identified within the Study Area, detailed on Figure 8.1: Designated Heritage Assets (ES Volume 2) [**EN0110012/APP/LVS/06.02.08.01**]. These are: five scheduled monuments, four Grade I listed buildings, seven Grade II* listed buildings, 77 Grade II listed buildings, four conservation areas (Escrick, Hillam, Monk Fryston, Riccall), 33 potential military aircraft crash sites (locations are approximate or estimated from contemporary sources and therefore remains within the Proposed Development cannot be completely discounted).

7.11.26 The additional 16 heritage assets included in the assessment at the request of Leeds City Council are five Grade I, two Grade II*, and seven Grade II listed buildings, a Grade II* registered park and garden, and Ledsham Conservation Area (the eight listed buildings located within the Ledsham Conservation Area are not included as individually designated heritage assets within the assessment).

7.11.27 The assessment includes 463 heritage assets and 19 findspots recorded within the NYHER and YCHER throughout the Order Limits and Study Area, with a further 199 potential heritage assets identified through surveys, hedgerow assessment and trial trenching.

7.11.28 Within the Order Limits, heritage assets identified are predominantly archaeological, including field systems, ponds, channels, footbridges and other evidence of human settlements such as farmsteads, stone working sites, cottages and barns, among others.

7.11.29 The ES has identified cultural significance of archaeological remains ranging from negligible to high importance, with the majority of features negligible or low importance. Two moated sites within SDS 4 have been identified as having potentially high cultural significance.

7.11.30 A worst-case scenario of physical impacts has been adopted during the assessment for assets within the Order Limits to retain maximum flexibility within the design.

7.11.31 The level of intrusive groundwork will vary across the Proposed Development. Solar panels can be designed so as to limit intrusive groundwork. However, other works such as the BESS, substations, cable installation and soil stripping for construction compounds have the potential to impact archaeological remains.

7.11.32 The Proposed Development has been designed to minimise impacts on heritage assets as far as practicable through embedded mitigation. For SDSs, mitigation measures include avoiding direct impacts to designated heritage assets, minimising impacts through design by micro siting solar panels, and removing

solar panels from areas with higher archaeological potential (these areas have been set aside completely or reserved for ecological and landscape mitigation). Concrete feet or other non-ground penetrative techniques are proposed for panels, where appropriate, to preserve sub-surface archaeological remains in situ.

7.11.33 For the CRC segments, embedded mitigation measures include locating underground cables in existing gaps in hedgerows wherever feasible and using trenchless solutions where practicable to avoid impacts to buried archaeological remains (particularly in and around the River Ouse). Existing hedgerows in poor condition would be reinforced with new planting to strengthen historic landscape character.

7.11.34 Construction practices will use best practice measures to minimise light, noise and vibration during construction works, and construction access routes will be sited to avoid large increases in traffic movement.

7.11.35 Further details on the embedded mitigation can be found in a suite of management plans. Directly relevant to Cultural Heritage is the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**]. The Outline Construction Environmental Management Plan (oCEMP) [**EN0110012/APP/LVS/07.02**] contains measures including use of low impact construction methods (concrete feet or other non-ground penetrative techniques) and reinforcing preexisting natural screening to avoid significant effects through embedded design. Natural screening through planting (as secured via the oLEMP) is considered to mitigate effects that may arise from changes within an asset's setting as a result of the Proposed Development.

7.11.36 Where archaeological remains cannot be preserved in situ, a scheme of archaeological excavation or monitoring will be undertaken.

7.11.37 During the construction phase, likely significant effects have been identified as follows:

1. Four assets: cluster of ring ditches in SDS 1 [GS_S1_20], Possible field system and trackways in SDS 4 [GS_S4_3], Possible Romano-British settlement site in SDS 4 [GS_S4_5] and Iron Age/Romano British ring ditch adjacent to potential Roman-British field system in SDS 6 [GS_S6_4]. Construction of solar panels could cause permanent damage to or removal of these assets, resulting in a major adverse magnitude of impact. As the features are of medium importance, their complete physical removal would result in a moderate adverse effect, which is significant in EIA terms.
2. Group of features within the CRC 4-POC, described as a group of geophysical anomalies aligning with a recorded field system. Installation of the cable within the CRC will require cut and cover excavation, which will permanently remove archaeological features. The complete physical removal of these features would result in a major adverse magnitude of impact. As the features are of medium importance, their complete physical removal would result in a moderate adverse effect, which is significant in EIA terms.

7.11.38 Archaeological monitoring may be required for access to SDS 8 owing to potential moated sites in this area. This need for monitoring is subject to the finalised route. The possible need for monitoring is recorded in the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**] and any monitoring will be agreed with the Archaeological Advisor to the LPA.

7.11.39 Operational impacts to archaeological remains are anticipated to be highly limited. Decommissioning impacts are envisaged to be less than those incurred during construction as techniques used (for example to remove any cabling) would be less intrusive.

7.11.40 Additional mitigation measures have been identified for the Proposed Development to achieve a reduction in effect and / or anticipated outcome. For the construction phase, where remains cannot be preserved in situ, a scheme of archaeological excavation or archaeological monitoring will be undertaken to record archaeological features impacted by the Proposed Development. This commitment is outlined in the oCEMP [**EN0110012/APP/LVS/07.02**] and detailed within the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**].

7.11.41 The ES concludes that, due to the inclusion of embedded and good practice mitigation within the Proposed Development's design, no significant effects to known buried archaeology or other heritage assets will occur as a result of the Proposed Development.

7.11.42 There remains potential for as yet unidentified buried archaeological remains within un-surveyed areas of the CRC and in small areas adjacent to some HIAs, therefore, significant effects cannot be ruled out at the time of submission. Where effects on the buried archaeological resource could occur, mitigation is set out within the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**].

Appraisal of the Proposed Development

7.11.43 The ES complies with the requirements of NPS EN-1 and NPS EN-3 and NPS EN-5 regarding the scope of the assessment. An assessment of likely significant heritage impacts of the proposed development has been undertaken, and the mitigation hierarchy has been applied (NPS EN-1, paragraphs 5.9.9-5.9.10).

7.11.44 Where effects on the buried archaeological resource could occur, additional mitigation has been identified, comprising archaeological excavation or monitoring to ensure features are properly recorded prior to any impacts. Details are set out within the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**].

7.11.45 There remains potential for as yet unidentified buried archaeological remains within un-surveyed areas of the CRC and in small areas adjacent to some HIAs. Where effects on the buried archaeological resource could occur, mitigation is set out within the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**].

7.12 Landscape and Visual

7.12.1 The introduction of the Proposed Development will create change to the existing rural landscape. The Applicant has promoted good design throughout the development process by:

1. Avoiding settlements and positioning the Proposed Development close to as few private residential properties as possible.
2. Applying a minimum 30 m buffer between the curtilage of residential properties and new built development.
3. Retaining existing woodland and hedgerows or reinstating where unavoidable.
4. Buffers around trees and non-intrusive methods used during construction to avoid impact to sensitive features such as watercourses, hedgerows and mature vegetation.
5. Inclusion of wide buffers and setbacks at SDS 1 to respect the visual amenity, landscape sensitivity and openness of higher land on the northern edge of the Order Limits close to the Escrick Conservation Area.
6. Inclusion of a minimum 15 m offset from all infrastructure, including fencing, to centreline of PRoWs.
7. Reinstatement of the land following decommissioning, returning the land to its current use and condition as far as reasonably practicable.

7.12.2 Further information on Design Principles is provided in the DAD [**EN010012/APP/LVS/05.05**]. Landscape and visual mitigation measures are also set out in the Design Parameters and Commitments document.

7.12.3 The DCO Application is accompanied by a Landscape and Visual Impact Assessment (LVIA), set out in Chapter 10: Landscape and Visual (ES Volume 1) [**EN0110012/APP/LVS/06.01.10**]. The LVIA comprehensively assesses the Proposed Development in the context of landscape and visual receptors and amenity and explains how the Applicant has sought to maximise opportunities for landscape integration and enhancement. Appendix 10.4: Photography and Photomontages (ES Volume 3) [**EN0110012/APP/LVS/06.03.10.04**]) illustrates the baseline context, plus Years 1 and 15 including with proposed landscaping proposals. Viewpoints for the photomontages have been agreed with NYC.

Relevant Policy Summary

7.12.4 NPS EN-1 (Section 5.10) recognises that virtually all nationally significant energy infrastructure projects will impact the landscape, and effects will vary based on the type of development, its location and landscape setting. NPS EN-1 recognises that nationally significant energy projects can provide significant improvements through mitigation, benefitting landscape character (paragraph 5.10.5). Paragraph 5.10.6 notes "*the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate*". However, it is important to note that, at paragraph 5.10.26, in the context of functionality of a proposed development, in the case of Light Valley, electricity outputs, it is stated "*the Secretary of State may decide that the benefits of the*

mitigation to reduce the landscape and / or visual effects outweigh the marginal loss of function".

7.12.5 It is recognised by NPS EN-3 that the adverse visual impact of solar farms, although likely covering a large surface area, can be minimised through appropriate screening and land topography (paragraph 2.10.87). Paragraphs 2.10.90-919 require applicants to consider the criteria for good design set out in NPS EN-1, seeking to minimise the landscape and visual impact of solar PV arrays, especially within nationally designated landscapes. The NPPF requires planning decisions to ensure developments are sympathetic to local character, including the surrounding landscape setting (paragraph 135).

7.12.6 With regard to Selby District Core Strategy Local Plan (2013), Policies SP17 and SP18, new renewable energy developments should be designed and located to protect the environment or demonstrate that the wider environmental, socioeconomic benefits outweigh any harm caused to the environment. Local amenity and impacts on local communities should be minimised and locally distinctive landscapes enhanced. Selby District Local Plan (2005), policies ENV15 and ENV20, state that development should present fully integrated landscaping proposals which are effective at screening the development and enhance the natural and local environment and conserve landscape character.

Environmental Assessment Conclusions

Landscape and visual impact assessment

7.12.7 Chapter 10: Landscape and Visual (ES Volume 1) [**EN0110012/APP/LVS/06.01.10**] identifies that Proposed Development is not located within or near to any nationally designated landscapes or National Parks.

7.12.8 Designated Locally Important Landscape Areas (LILAs), Hambleton Hough, Brayton Barff and Limestone Ridge, are located close to the Order Limits. Of these, only one, Hambleton Hough, has been identified as likely to experience temporary landscape impacts. This temporary impact is caused by removal of vegetation (noting this is a worst-case scenario for the purposes of assessment) to accommodate CRC 1-4 which runs through the LILA. Reinstatement seeding and planting is proposed and by Year 15, there would be no perceptible change to the landscape.

7.12.9 The LVIA has assessed likely effects on the nine district Landscape Character Areas (LCAs), defined within the Selby Landscape Character Assessment (2019) (Ref 30) and the on SDSs, at four points of the Proposed Development's lifetime: construction and decommissioning, Year 1 of operation; and Year 15 of operation. During construction and early operation, seventeen significant adverse effects on LCAs and SDSs are identified. However, not all significant effects identified will remain throughout the lifetime of the Proposed Development as improvements will be realised overtime.

7.12.10 By Year 15 of operation, significant adverse effects will have reduced due to maturing of screening and reinstatement planting, with no significant adverse

effects on LCAs remaining. Only three significant adverse effects remain at Year 15 of operation due to a change in character to the landscape at SDS 2 and altered landscape character and reduced openness at SDSs 6 and 7.

Visual impact assessment

7.12.11 The assessment of visual effects in the LVIA considers individual visual receptors within three groups: local communities; PRoW users; and local road users.

7.12.12 The Proposed Development will have significant adverse effects for fifty-four visual receptors around the SDSs during construction and early operation. However, most of these impacts are short term and temporary as mitigation will be applied to reduce impacts over time.

7.12.13 By Year 15 of operation, planting installed by the Applicant would have matured and created increased screening of the Proposed Development. The LVIA concludes that at operational Year 15, significant adverse effects for only five visual receptors would remain, notably views for residents of Siddle Farm House and people travelling along footpaths 35.28/2/1 and 35.28/3/1 at SDS 1 and 35.10/2/1 and 35.37/8/1 at SDS 4.

7.12.14 The Proposed Development would avoid impacts on nationally designated landscapes. Although there would be some harm to locally designated landscapes, these impacts would be temporary and would be reversed once mitigation planting has established.

7.12.15 Cumulatively, no effect of significance for landscape or visual receptors have been identified.

Appraisal of the Proposed Development

7.12.16 The Proposed Development is policy compliant with NPS EN-1 paragraphs 5.10.16-17 as a comprehensive LVIA, with consideration of cumulative effects, local landscape character assessments and locally valued landscapes, has been undertaken. Impact on nationally designated landscapes are avoided.

7.12.17 Consistent with NPS EN-1, paragraph 5.10.19, landscape and visual matters were considered early on in the design development process. An environmentally led design process influenced the initial layout of the Proposed Development, including setting of parameters to influence decision making regarding siting of the Proposed Development, including for example offsets from residential properties and taking account of the local landscape character. This is described in the Design Approach Document. The parameters are described in, and are secured through, the Design Parameters and Commitments [**EN0110012/APP/LVS/05.06**].

7.12.18 In line with local planning policies the Proposed Development has identified opportunities for landscape restoration and enhancement, by introducing planting which repairs or reinforcing existing vegetation patterns (as illustrated on the Outline Environmental Masterplan [**EN0110012/APP/LVS/02.12**]). The LVIA has also informed the identification of opportunities for new green infrastructure,

including permissive paths and additional tree and hedgerow planning, which will have the added benefit of supporting new habitats.

7.12.19 Significant adverse landscape and visual effects identified during the construction and decommissioning phases are short term and temporary. With some exceptions, significant adverse landscape and visual effects predicted at Year 1 of operation are generally anticipated to reduce to 'not significant' by Year 15 of operation. This is due to the management and establishment of landscape planting. Only three adverse effects on the landscape, associated with SDSs 2, 6 and 7, and on five visual receptor groups, residents of Siddle Farm House and users of four PRoWs remain significant at Year 15 of operation.

7.12.20 The LVIA concludes that, after mitigation is applied, residual visual effects remain for residents of Siddle Farm House at Year 15 due to the extent and proximity of panels at SDS 2, and the presence of the 275 kV substation and BESS located at least 320 m away from the property curtilage. Whilst the proposed planting in leaf would provide screening and softening of the infrastructure and panels, there would still be a change to large parts of the landscape within the view and permanent loss of openness. This impact is considered to be adverse and significant.

7.12.21 All operational effects, the majority of which will reduce overtime, will be reversed following 60 years of operation as secured through the Outline Decommissioning Environmental Management Plan (oDEMP) [**EN0110012/APP/LVS/07.04**]. After decommissioning, the Proposed Development would leave a positive legacy of improved landscape fabric and character due to the denser hedgerows and maturing trees.

7.12.22 Overall, the Proposed Development would avoid impacts on nationally designated landscapes and have no significant residual effects at the national level. Taking into account the recognition in the NPSs that energy infrastructure is likely to have landscape and visual effects, it is considered that the Proposed Development is compliant with relevant NPS policy and the localised residual landscape effects identified do not outweigh the benefits of, or urgent need for, the Proposed Development.

7.13 Noise and Vibration

1.1.2 The baseline noise environment of the Proposed Development is relatively quiet, typical of a rural area. Considering this in the context of the introduction of the Proposed Development, the Applicant has promoted good design throughout the design development process. Chapter 11: Noise and Vibration (ES Volume 1) [**EN0110012.APP/LVS/06.01.11**], sets out the assessment undertaken to assess construction noise and vibration; construction traffic noise; operational noise from stationary sources; operational road traffic noise and maintenance and replacement activity noise.

Relevant Policy Summary

7.13.1 NPS EN-1 outlines the need for developers to provide noise assessments, consider noise mitigation measures, and comply with relevant regulations and guidelines to minimise adverse effects on nearby communities and environments. A noise assessment, proportionate to the impact, should be carried out where noise impacts are likely to arise from a development.

7.13.2 Applicants are required to demonstrate good design by: selecting the quietest or most acceptable cost-effective equipment; containing noise within buildings wherever possible, while considering any adverse impacts this may cause; optimising layout to minimise noise emissions; and where possible, using mitigation measures such as landscaping, bunds, or noise barriers to reduce noise transmission (as per NPS EN-1 paragraph 5.12.15).

7.13.3 NPS EN-1 paragraph 5.12.16 requires applicants to undertake developments in accordance with the Noise Policy Statement for England (NPSE) (Ref 31), the NPPF and planning guidance on noise.

7.13.4 NPS EN-1 paragraph 5.12.17 states that a proposed development must meet the following aims, through the effective management and control of noise:

1. Avoid significant effects in health and quality of life from noise;
2. Mitigate and minimise other adverse impacts on health and quality of life from noise; and
3. Where possible, contribute to improvements to health and quality of life through the effective management and control of noise.

7.13.5 NPS EN-5 requires the standard methods of assessment and the relevant British Standards to be used for assessment of noise from substations.

7.13.6 The NPPF and Selby District Core Strategy (2013), Policy SP19 Design Quality, outline that new developments are required not to contribute to, or be put at, unacceptable risk from unacceptable levels of noise pollution.

Environmental Assessment Conclusions

7.13.7 Daytime construction activities including installation of the solar PV panels, activities at temporary construction laydown areas and highway improvement areas, are not expected to result in impacts that would have a significant effect. The highest predicted noise level of about 60dB, at receptors S1_R10 and S2_R1, is attributed to activity the installation of Solar PV panels.

7.13.8 Daytime construction noise levels are not predicted to exceed either the Significant Observed Adverse Effect Level (SOAEL) or the Lowest Observed Adverse Effect Level (LOAEL) at any receptor.

7.13.9 Construction traffic noise levels are mostly predicted to be subject to negligible impacts with minor adverse impacts on Phillip Lane (Hambleton), King Rudding Lane, Field Lane and Hillam Road / Hillam Lane. Common Lane (Hambleton) is predicted to be subject to moderate adverse impacts caused by the increase in

HGV movements. However, this is not considered a significant effect as it only equates to of 2 to 3 HGV movements per hour during the day time.

7.13.10 The oCTMP includes a commitment to measures to reduce the need for construction vehicles using the road network during morning and evening peak hours. The ES reports a worst-case scenario of a seven-hour working day for HGV construction traffic (i.e. between the peak times), the increase would be about two to three vehicles per hour and unlikely to result in an appreciable change in noise levels at nearby receptors. It is concluded that adverse effects from construction traffic noise are not significant.

7.13.11 Nighttime construction noise is only associated with trenchless construction activities as the work is required to operate continuously once started. It is anticipated that this is typically for 1 to 2 days for each HDD site. Mitigation measures in respect of this are set out in the oCEMP. The embedded mitigation set out in the oCEMP informs the conclusion that noise effects from night time construction activities are assessed as not significant.

7.13.12 Construction vibration linked to compaction, piling and horizontal drilling, may have the potential to prompt receptors to complain. However, the levels identified in the ES can be tolerated if prior warning and explanation is given to residents. A commitment is secured for prior warning and explanation by means of the oCEMP [**EN0110012/APP/LVS/07.02**].

7.13.13 The impact of vibration associated with trenchless construction activities directly below the River Ouse has also been assessed. Additional information can be found in Chapter 6: Biodiversity (ES Volume 1) [**EN0110012/APP/LVS/06.01.06**]. Although noise and vibration disturbance are predicted to be minimal, a precautionary avoidance period would be observed for Atlantic salmon, brown trout and lamprey species.

7.13.14 The operational and replacement noise assessment undertaken, in line with BS4142 and BS ISO-9613, concludes that with the implementation of mitigation measures, noise levels from stationary sources of the Proposed Development are not expected to result in adverse significant effects.

7.13.15 Exceedances over the typical background noise levels have been identified for some receptors – generally driven by noise from transformers, Conversion Units and the BESS compound. The exceedances would occur for the night-time only are generally attributable to existing low night-time background sound levels and the proximity of receptors. However, when considering absolute noise levels and predicting internal noise levels at receptors, by reference to guidelines and relevant standards, impacts are assessed as not significant. Moreover, the exceedances over background noise levels are not expected exceed the SOAEL.

7.13.16 The works which take place during the decommissioning phase of the Proposed Development are expected to be similar in magnitude (or less extensive) than those required for construction. Any identified impacts will be managed with the implementation of a detailed DEMP.

Appraisal of the Proposed Development

7.13.17 In accordance with NPS EN-1, a proportionate noise assessment has been carried out in accordance with the Noise Policy Statement for England and relevant British Standards, as well as considering relevant planning policy such as the NPSs for energy and the NPPF.

7.13.18 Construction work will be conducted in accordance with the oCEMP commitments therein are secured through DCO requirements.

7.13.19 The assessment presented in the ES is based on an indicative design available at the time of writing to inform a reasonable worst-case assessment. The design is expected to continue evolving, and changes may occur, such as modifications to the Conversion Unit locations, the layout of the BESS Compound or changes to plant selection. Any changes will ensure that resulting operational noise impacts do not lead to significant effects.

7.13.20 The Applicant has therefore committed that, as part of its submission of the detailed OEMP, it will include:

1. Details of the operational noise mitigation measures that have been implemented as part of the detailed design;
2. A noise impact assessment of the finalised detailed design of that part of the Proposed Development to which the OEMP relates. This will be required to demonstrate that the operational noise sources will not lead to materially new or materially different effects that are worse than reported in this chapter;
3. A commitment to undertake and submit to North Yorkshire Council a verification exercise (the methodology for which will be sought to be agreed as part of the detailed OEMP) three months after operations begin for that part of the Proposed Development. This verification exercise will seek to confirm that the conclusions of that noise impact assessment have been borne out; and
4. A commitment that if that verification exercise concludes that the conclusions have not been borne out that the Applicant will undertake remedial actions to ensure those conclusions are delivered.

7.13.21 These commitments are set out in the oOEMP [**EN0110012/APP/LVS/07.03**].

7.13.22 An Outline Decommissioning Environmental Management Plan (oDEMP) [**EN0110012/APP/LVS/07.04**] has been submitted within the DCO Application to secure the delivery of relevant mitigation measures.

7.13.23 The mitigation measures for construction and decommissioning are also relevant and applicable for replacement activities, and this has been noted in the oOEMP [**EN0110012/APP/LVS/07.02**]. This is due to their temporary nature and similarity to construction works.

7.13.24 The Proposed Development therefore meets the three aims of NPS EN-1 (paragraph 5.12.17) through the mitigation measures committed to at construction, operation and decommissioning phases. The Proposed

Development is considered to be in accordance with NPS EN-1, the NPPF and local policies with regard to noise and vibration impacts as the noise assessment outlines no unacceptable levels of noise pollution due to avoidance and mitigation inherent to the design.

7.14 Socioeconomic Impacts and Land Use

7.14.1 Chapter 13: Socioeconomics (ES Volume 1) [**EN0110012/APP/LVS/06.01.13**] describes the baseline context of the Selby area confirming that levels of deprivation are low, and almost three quarters of homes are owned whilst just 12% of homes are social rented (5% less than the regional and national averages). Land use is dominated by agriculture and within the rural villages there is a mix of community and recreation facilities, including sports clubs, playing fields, swimming facilities, community centres, churches, schools and public spaces including three village greens. A full listing of facilities is set out in Table 13-18 of the Socioeconomics chapter.

7.14.2 The assessments of socioeconomic impacts, focusses on how the Proposed Development may affect the current use and accessibility on socioeconomic and land use receptors including: employment and supply chain effects; land use including potential indirect effects on commercial receptors, community facilities and development land as well as land allocations; tourism facilities and accommodation; access temporary accommodation; and Public Right of Ways (PRoWs) and recreation routes.

7.14.3 The socioeconomic assessment is supported by Appendix 13.1: Socioeconomic Receptors Impact Assessment [**EN0110012/APP/LVS/06.03.13.01**] and an Outline Public Rights of Way Management Plan (oPRoWMP) [**EN0110012/APP/LVS/07.09**].

7.14.4 The DCO Application also includes an outline Skills, Supply Chain and Employment Plan (oSSCEP) [**EN0110012/APP/LVS/07.13**], which describes how Applicant will commit to promoting competition, innovation and skills within the local and regional areas of the Proposed Development and across the wider local authority area. The oSSCEP describes the potential workers, skills, equipment and services required to deliver the entirety of the Proposed Development and the measures required to engage with relevant stakeholders. It will inform a detailed Skills, Supply Chain and Employment Plan prepared and submitted prior to the commencement of construction activities.

Relevant Policy Summary

7.14.5 NPS EN-1, Section 5.13, identifies the potential relevant socioeconomic impacts a project should consider, as well as potential mitigation measures and how these should be considered in the decision-making process. Section 5.13 requires the Applicant to undertake an assessment of socioeconomic effects at local or regional levels (as part of the ES). Potential socio-economic impacts relevant to the Proposed Development include:

1. effects (positive and negative) on tourism and other users of the area impacted;
2. the impact of a changing influx of workers during the different construction, operation and decommissioning phases;
3. creation of jobs and training opportunities;
4. the contribution to the development of low-carbon industries;
5. any indirect beneficial impacts for the region hosting the infrastructure; and
6. cumulative effects.

7.14.6 NPS EN-1, Section 5.11, considers potential impacts on land use. EN-1 refers to the impacts of energy on recreation assets and PRoW, as well the opportunity to create new assets. Paragraph 5.11.30 confirms the expectation that mitigation to ensure PRoW, National Trails and coastal access may be kept open wherever possible, and opportunities for new access should be encouraged. Use, character, attractiveness and convenience should be considered when mitigating impacts on PRoW.

7.14.7 The NPPF emphasises building a strong, competitive economy as components of sustainable development (paragraphs 85-89); and guides planning decisions to achieve healthy and safe communities (Section 8).

Environmental Assessment Conclusions

Employment

7.14.8 A positive economic impact will result from employment during the construction period, anticipated to take up to 36 months. The Proposed Development is expected to generate 520 net construction jobs over the 36 months, accounting for displacement and multiplier effects. Of these jobs, it is estimated that 260 would be taken up by people from within the Study Area. The direct, indirect and induced employment created by the construction phase of the Proposed Development is likely to have a beneficial effect on the Study Area. However, this employment creation is not considered to be significant in EIA terms given the relatively short period of construction.

7.14.9 Employment effects during the operation of the Proposed Development have been scoped out of the assessment because of the low levels of employment anticipated. The assessment concludes that even with slight peaks in employment associated with replacement activities during operation, this would be lower intensity that during the construction stage and therefore would not lead to a significant effect (beneficial or negative). Similarly, effects during the decommissioning phase, being shorter than the construction phase, are concluded to lead to a minor beneficial effect which is not significant.

Private Rented Sector and Hotel Accommodation

7.14.10 Impact on the Private Rented Sector (PRS) and hotel accommodation, using a worst-case assumption that 50% of workers would be drawn from the local area, meaning 50% would require temporary housing (231 persons).

7.14.11 The socio economic assessment identifies that if the non-local workers required temporary accommodation, this would equate to 4% of the Selby PRS stock. This level of demand is considered absorbable within the existing rental market. If all non-local workers were to rely solely on tourism accommodation, this could place pressure on existing capacity, particularly during peak periods.

7.14.12 The socioeconomic assessment concludes that the adverse effect on the PRS and hotel accommodation is considered to be negligible and not significant, when a mixed accommodation strategy (i.e. PRS and hotel) is applied. The assessment also considers the potential cumulative effect on the PRS and hotel accommodation given other projects within the zone of influence. The assessment of impact on the PRS and hotel accommodation concludes that the cumulative effect is low.

Tourism businesses

7.14.13 Four business receptors (Birkin Fisheries, Birkin Fisheries Tea Room, Gascoigne Wood Fishery and Fairfield Equine) have been identified through the assessment as having potential to experience significant socioeconomic impacts due to their proximity to the construction works. However, where additional mitigation (such as limits placed on construction and traffic related noise and disruption) has been committed to during the construction phase (and secured through the oCEMP [**EN0110012/APP/LVS/07.02**]), it is concluded that the residual effects would reduce and not be significant.

Community and recreational facilities including PRoWs

7.14.14 All other community and recreational facilities and local business receptors are not anticipated to experience significant effects due to sufficient embedded mitigation measures applied to the Proposed Development.

7.14.15 In the context of open spaces, three Village Greens will be affected to accommodate construction access to the CRC. The assessment concludes that due to the temporary nature of the use of land, coupled with the fact that only small areas of the village greens, in areas adjacent to the highway will be required to facilitate the Proposed Development, the potential impact is minor adverse and not significant. Similar temporary impacts may occur during the operational stage of the Proposed Development, should maintenance require larger vehicular access. As with construction, effects would be temporary in nature, with the Village Greens not permanently impacted for use by the local community, this is not considered to lead to a significant effect. Any works affecting the Village Greens, will be reinstated to match existing standards as far as is reasonably practicable unless otherwise agreed with North Yorkshire Council. This commitment is secured through both the oCEMP [**EN0110012/APP/LVS/07.02**] and the oOEMP [**EN0110012/APP/LVS/07.03**].

7.14.16 The Proposed Development will result in a permanent change in the character of the landscape from open agricultural fields to a solar farm. This change is recognised as influencing local amenity, particularly for users of nearby PRoW

and recreational routes. While some receptors may perceive this as an adverse effect due to the reduction in traditional rural views, others may consider the presence of renewable energy infrastructure as interesting or positive, reflecting wider sustainability and climate objectives. Any noise effects during operation is also expected to be transient in nature. From an in-combination perspective, it is not considered there will be a significant impact on amenity during operation.

7.14.17 Local management and/or short-term, temporary closures of some PRoWs would be required to facilitate the construction of the Proposed Development. Three permanent PRoW diversions are proposed within SDS 1, affecting bridleways 35.28/1/1 and 35.67/6/1, and footpath 35.28/3/1, to accommodate site infrastructure. The affected routes will be permanently diverted along alignments preferred by existing users, which have been determined through engagement with local stakeholders, with new paths provided to maintain connectivity. Full details of the diversions are set out in the oPRoWMP.

7.14.18 Alongside potential effects on the PRoW network, the Proposed Development also interacts with a number of Definitive Map Modification Orders (DMMOs). In considering the potential impact of the Proposed Development on these potential modification's, the assessment concludes that any routes that may be created pursuant to the DMMOs would likely experience negligible effects, where they do not directly interact with the Proposed Development, or minor adverse effects which would be controlled through the management measures and hierarchy within the oPRoWMP.

Appraisal of the Proposed Development

7.14.19 The socioeconomic assessment (required under paragraph 5.13.2 of NPS EN-1) concludes minor beneficial effects for employment during both construction and decommissioning of the Proposed Development, recognising the potential direct employment effects, as well as the wider supply chain opportunities and indirect (e.g. construction workers staying and spending locally) effects that are likely to emerge.

Employment

7.14.20 For four business receptors, specific mitigation measures have been identified as required for the construction stage of the Proposed Development, secured through the oCEMP, oCTMP, and oPRoWMP. With these measures in place, effects are mitigated to a level which is not significant.

PRS, tourism accommodation and local businesses

7.14.21 For all other receptors considered (PRS and tourism accommodation, community and recreational facilities including Village Greens, and local businesses) the assessment concludes no significant effects during the construction, operational and decommissioning phases, with embedded mitigation measures implemented.

Community and recreational facilities including PRoWs

7.14.22 In relation to PRoW, the Proposed Development includes a 15m offset from existing routes as an embedded measure to minimise potential effects on users, and the enjoyment and desirability of the PRoW network.

7.14.23 During construction, measures will be put in place to ensure that routes will remain accessible (including localised diversions where required) where it is safe and practicable to do so, as set out in the oPRoWMP. It is the intention of the Applicant to retain access during construction wherever possible and this may result in temporary PRoW diversions. With the mitigation proposed through the oPRoWMP, the assessment concludes minor adverse effects on the PRoW network during the construction period which is not significant.

7.14.24 The creation of new permissive paths to improve local connectivity is secured through the oLEMP [**EN0110012/APP/LVS/07.05**]. These new routes provide an opportunity to create an enhanced and better-connected network of recreational routes within the local area, adding to the existing PRoW network and providing increased opportunity for recreation in the areas surrounding the Proposed Development.

7.15 Traffic and Transport

7.15.1 Chapter 14: Traffic and Movement (ES Volume 1) [**EN0110012/APP/LVS/06.01.14**] presents the impact assessment and likely significant effects of the Proposed Development on traffic and movement, which will be greatest during the temporary construction period. The ES Study Area for traffic and movement covers the routes to the SDSs and the routes that may be used to access the CRC.

7.15.2 The construction phase is expected to last 24-36 months, with many of the SDSs and construction locations used for shorter periods. An average of 499 LGV movements and 291 HGV movements are anticipated daily across all SDSs and CRC works. 82% of the HGV movements predicted are associated with the CRC works which will be distributed along the corridor and across the highway network.

7.15.3 The transport impacts will be mitigated through strategies set out in the Outline Construction Traffic Management Plan (oCTMP) [**EN0110012/APP/LVS/07.12**]. Throughout construction, trips associated with the construction across the SDSs and the CRC will be staggered across the construction programme, meaning that trips calculated for each SDS and the entire CRC are unlikely to all peak at the same time.

7.15.4 Construction vehicles will move around the SDSs via set routes, and along a haul road constructed along the CRC, which will minimise trips externally on the highway network, where possible. Traffic movements will also be scheduled to avoid peak hours.

7.15.5 This section considers the potential impacts of the Proposed Development in the context of relevant policy relating to traffic and transport during construction,

operation and decommissioning (noting that operation and decommissioning effects have been scoped out of the ES). It draws on Chapter 14: Traffic and Movement (ES Volume 1) [**EN0110012/APP/LVS/06.01.14**], and accompanying Appendix 14.1: Transport Assessment (TA) (ES Volume 3) [**EN0110012/APP/LVS/06.03.14.01**], and Outline Construction Traffic Management Plan (oCTMP) [**EN0110012/APP/LVS/07.12**].

Relevant Policy Summary

7.15.6 NPS EN-1 (paragraphs 5.14.5-7) requires an ES to include a transport appraisal, produced in consultation with National Highways and highways authorities as statutory consultees, if the proposed development is likely to have significant transport implications.

7.15.7 Paragraph 5.14.8 of NPS EN-1 encourages proposals to prepare a travel plan setting out measures that reduce the need for parking, contribute to decarbonisation of the transport network and improve user travel options by offering a genuine modal choice.

7.15.8 NPS EN-1 also advises that requirements may be attached to consents where there is likely to be substantial HGV traffic. Requirements may control the number and routing of HGV movements to specific periods, accommodate sufficient parking and driver welfare facilities and ensure satisfactory arrangements for abnormal loads (paragraph 5.14.15).

7.15.9 NPS EN-3 acknowledges that, as solar energy development is largely located in rural areas, access for the delivery of solar arrays and associated infrastructure during construction can be a significant consideration for solar farm siting, such that developers will usually need to construct on-site access routes for operation and maintenance activities. Sometimes, access routes will also need to be constructed to link solar farms to the public road network (paragraphs 2.10.29-31).

7.15.10 NPS EN-1 advises that development consent should only be refused on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of active public or shared transport access and provision (paragraph 5.14.22).

7.15.11 NPPF Section 9 states that transport issues should be considered at the earliest stage of development proposals and that the application should be supported by a vision-led transport statement or transport assessment. Development that generates significant amounts of transport movement should produce a travel plan.

7.15.12 Objective 3 of the Selby District Core Strategy Local Plan (2013) aims to direct new development to the most sustainable locations, with consideration for local needs and environmental, social and economic constraints.

Environmental Assessment Conclusions

7.15.13 The ES assesses the worst-case scenario for potential impacts on the highway network during the temporary construction phase. Specifically, the ES assesses effects on severance, driver delay, pedestrian and cyclist amenity, and fear and intimidation. All of these effects have been assessed as not significant in the ES for the reasons set out below.

Severance

7.15.14 Severance is the perceived division that can occur within a community when it becomes separated by major transport infrastructure. It describes a complex series of factors that separate people from place and other people. Using professional judgement to balance the magnitude of change with receptor sensitivity, locations with the highest proportion of change are identified at Phillip Lane and Common Lane in Hambleton, however the links are low sensitivity due to minimal frontages along these routes, and therefore on balance the impact is not significant.

Driver delay

7.15.15 Driver delay is only likely to be significant when traffic in the network surrounding the development is already at or close to capacity. At peak periods during construction, total daily movements could reach 1,110, including 322 HGVs.

7.15.16 The A63/A162 roundabout was identified as operating at capacity. This is expected to be upgraded prior to the start of construction works in 2028. If the proposed improvements are not in place prior to commencement of the construction phase, the additional trips generated would represent a small proportionate increase only and would not change the conclusions of the ES. Nevertheless, construction vehicles would be directed to take alternative routes.

7.15.17 The oCTMP [**EN0110012/APP/LVS/07.12**] includes measures to manage construction vehicle arrival and departure times to avoid network peak hours and further minimise any potential driver delay impact.

7.15.18 As a result, whilst delivery of the junction improvements would be beneficial, the planned NYC works are not necessary to make the Proposed Development acceptable, and effects on driver delay are assessed overall as not significant.

Pedestrian and cyclist amenity

7.15.19 Doubling or halving traffic flows, or the HGV composition on a link could lead to perceptible negative or positive impacts upon pedestrian and cyclist amenity. Locations where there could be a perceptible change based on these thresholds are identified along eight routes within the Study Area: Austfield Lane, Phillip Lane, Common Lane, King Rudding Lane, Wistow Road, Field Lane, Hillam Road/Hillam Lane and Rawfield Lane.

7.15.20 The data review shows that the routes with a greater than 50% increase in HGVs is in most cases due to the low baseline flows on the roads within the Study Area.

All roads that have high percentage changes in the number of HGVs, except Wistow Road, have a low sensitivity to change. As a result, the temporary change in traffic composition during construction is expected to result in a minor adverse impact on pedestrian and cyclist amenity with a low magnitude of impact, which is assessed overall as not significant.

Fear and intimidation

7.15.21 Fear and intimidation have been assessed by applying a degree of hazard score to assessment links in the 2029 baseline and 2029 'with construction' traffic scenario respectively. The score takes into account the average two-way flow, the HGV composition and vehicle speed.

7.15.22 The majority of road links within the Study Area have a 'Small' or 'Moderate' level of fear and intimidation in both the baseline and with construction scenarios. Those with a 'great' level of fear and intimidation are those roads with higher link flows: Wheldrake Lane, Wistow Road and Dam Lane.

7.15.23 The resulting assessment shows that there is no step change in category of fear and intimidation between the baseline and construction scenarios. Therefore, the temporary increase in traffic during the construction phase is not expected to change levels of fear and intimidation, leading to an overall assessment of effects as not significant.

Operation and decommissioning

7.15.24 Operational and decommissioning effects were scoped out of the EIA and have been assessed qualitatively only.

7.15.25 During the operational and maintenance phase, each SDS is expected to receive approximately five maintenance visits per month, typically by LGVs. Maintenance visits to the CRC are expected to take place only once or twice per year.

7.15.26 Alongside regular maintenance trips, solar panel and battery equipment is expected to require replacement during the 60-year lifecycle of the development. It is assumed that the solar panels will be replaced once over their design life, with a 10% allowance for ad hoc replacements in addition. BESS cells may require replacement up to five times over the development lifecycle. Cables are not expected to require replacement.

7.15.27 The traffic generation during the operational and maintenance phase (excluding replacement) is expected to be below the construction phase levels. Management of vehicle trips is detailed in the oOEMP [**EN0110012/APP/LVS/07.03**]. A high-level replacement programme is detailed in Chapter 2: The Proposed Development (ES Volume 1) [**EN0110012/APP/LVS/06.01.02**].

7.15.28 The TA concludes that any temporary impacts during construction can be managed through a Construction Traffic Management Plan (CTMP), to be agreed with North Yorkshire Council, prior to commencement of construction.

Cumulative

7.15.29 Other committed developments are forecast to generate a significant number of movements onto the local highway network. The key overlap is the Gascoigne Wood Power Plant (2021/1531/EIA) development. The Traffic and Transport Assessment has identified potential for driver and pedestrian delay, but with no effects forecast on severance, pedestrian and cyclist amenity or fear and intimidation.

7.15.30 Driver delay identified relates to the A63/A162 roundabout which is at capacity. NYC is developing proposals to upgrade the junction to accommodate trips associated with committed developments, including the proposals at Gascoigne Wood. If the roundabout upgrades have been implemented, the cumulative impact on driver delay would be negligible, which would not be significant.

7.15.31 If the proposed improvements are not in place prior to commencement of construction, and if the trips associated with the committed developments are on the network, then the cumulative impact on driver delay could be categorised as medium to high adverse impact, which would be significant.

7.15.32 However, the impact associated with the Proposed Development can be mitigated with measures detailed in the oCTMP (EN0110012/APP/LVS/07.12) including avoiding peak hour travel and the use of alternative routes to access the strategic network.

Appraisal of the Proposed Development

7.15.33 As required by NPS EN-1 and NPPF Section 9, the application is accompanied by a Transport Assessment (TA), Appendix 14.1: Transport Assessment (ES Volume 3) [**EN0110012/APP/LVS/06.03.14.01**]. Transport matters have been considered in the early stages of design development and mitigation measures have been committed to through the design proposals. In accordance with NPS EN-1 paragraph 5.14.7, National Highways and North Yorkshire Council (NYC) have been consulted on the assessment including targeted meetings with both organisations and attendance by NYC highways and Rights of Way offices at the Applicant's Design Workshops held in June 2025.

7.15.34 Although advised by NPS EN-1 (paragraph 5.14.8), a separate Travel Plan has not been prepared, as relevant measures are set out in the oCTMP [**EN0110012/APP/LVS/07.12].** The rural nature of the area and the planned shift patterns means that the majority of construction workers will need to rely on a vehicle to travel to site. The oCTMP includes proposals for shared transport for workers, such as minibuses. This will be particularly important for non-local workers who will be staying in local accommodation.

7.15.35 It is understood that, in accordance with NPS EN-1 paragraph 5.14.15, requirements may be attached to consents where there is likely to be substantial HGV traffic. Consideration has been given to managing HGV movements throughout the construction phase, to ensure these movements will be routed away from residential areas and avoid peak travel hours where practicable.

Visibility splays will be checked based on the recorded speed of the vehicles on the road network to ensure safety. Traffic will be distributed across seven SDSs and the Cable Construction Compounds during the construction programme including directing deliveries straight to site, rather than via construction compounds, where possible.

7.15.36 Abnormal load movements (AIL vehicles) are required for delivery of cables. The AIL routes are subject to agreement and coordination with the highways authorities and the police.

7.15.37 Parking for construction staff will be provided at the construction compounds. HGV deliveries will be co-ordinated across the SDSs and, given the volume of predicted HGV movements, dedicated parking will not be necessary where deliveries will pull off the highway into the compound areas, unload and re-enter the highway.

7.15.38 Measures to manage construction traffic, including HGVs and abnormal loads, are set out in the oCTMP.

7.15.39 NPS EN-3 acknowledges that developers will usually need to create new access routes for operation and maintenance activities to access solar sites (paragraphs 2.10.29-31). Existing access points will be used wherever possible to limit impacts on the highway network and reduce associated impacts such as hedgerow removal. Access routes have been assessed, and the Order Limits include areas for highways works where localised improvements have been identified as required to enable construction, for example temporary passing places on single track access roads and improvements to visibility splays at existing field access points.

7.15.40 NPS EN-1 advises that development consent should only be refused on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of active public or shared transport access and provision (paragraph 5.14.22). The EIA identified the worst-case scenario for potential impacts on the highway network would be during the temporary construction phase. Specifically, effects on severance, driver delay, pedestrian and cyclist amenity, and fear and intimidation. Of these effects, none have been assessed as significant. There will be no unacceptable impact on highway safety, and no severe cumulative impacts on the road network. Active travel and shared transport measures are included in the submitted oCTMP [**EN0110012/APP/LVS/07.12**].

7.15.41 The cumulative transport assessment conclusion is that impacts associated with the A63 / A162 Monk Fryston roundabout can be mitigated by improvements to provide additional capacity. At the meeting with NYC in March 2025 the Applicant was advised that design work is already underway for improvements to the roundabout to provide additional capacity for a range of committed development being brought forward in the area. It is anticipated that these works will be completed by 2028, in time for the commencement of construction. However, where not delivered on time for construction of the Proposed Development,

alternative construction routing of traffic associated with the Proposed Development will be used. For both the Proposed Development, and cumulatively, no unacceptable or severe impacts to the road network are expected.

7.15.42 Paragraph 5.14.8 of NPS EN-1 encourages Applicants to prepare a travel plan setting out measures that reduce the need for parking, contribute to decarbonisation of the transport network and improve user travel options by offering a genuine modal choice. As set out above, a separate travel plan has not been prepared for the Proposed Development. However, measures advised by policy are included within the oCTMP, including provision of minivans for worker transport to reduce the number of trips made by private car.

7.15.43 During operation, with the exception of when equipment is being renewed, parking requirements will be minor and restricted largely to the BESS and sub-station compound areas where provision will be made including for emergency vehicles in the event of an incident. Visits to the SDSs would generally be by smaller vehicles that will pull off the highway and park within the SDSs along the access tracks.

7.15.44 Alongside regular maintenance trips it is expected that some infrastructure, i.e. solar panels and batteries, will require replacement during the 60-year life cycle. Any replacement traffic is expected to result in fewer vehicle trips across the Proposed Development compared to traffic associated with the construction phase for both HGV and total traffic movement. Relevant measures to manage replacement traffic, consistent with the oCTMP, are detailed in the oOEMP [**EN0110012/APP/LVS/07.03**].

7.15.45 The ES concludes that there will be no significant effects for severance, driver delay, pedestrian and cyclist amenity, or fear and intimidation during the construction phase. Traffic movements during the operational and maintenance phase will be less than required during the construction phase and have been scoped out of the EIA.

7.15.46 The ES concludes that the Proposed Development is not likely to have any transport related significant effects, and subsequently there are no transport related reasons why the Proposed Development should not be granted consent. It is considered that the traffic management measures proposed by the Applicant to be secured via the draft DCO are feasible and viable, with no need for further requirements needing to be imposed by the SoS.

7.16 Resources and Waste Management

Relevant Policy Summary

7.16.1 EN-1 paragraphs 5.15.2, 6 and 14 state that proposals should adhere to the waste hierarchy, being: prevention, preparing for reuse, recycling, other recover, including energy recovery, and disposal. Applicants must ensure that all proposals align with circular economy objectives and waste production should not have an adverse effect on the capacity of existing waste management facilities.

This is also reflected in Policy W01 of the North Yorkshire Council Minerals and Waste Joint Plan and Policy SP18.8(g) of the Selby Core Strategy.

Environmental Assessment Conclusions

7.16.2 It is anticipated that the Proposed Development will result in 162,243 tonnes of waste generated through all phases. A Materials and Waste Management Plan ('SWMP') will be prepared by the Contractor, in substantial accordance with the Outline Materials and Waste Management Plan (oMWMP) [**EN0110012/APP/LVS/07.07**] which will specify the waste streams. These will be monitored and targets set with regards to the waste produced, including any re-use and recycling of materials. The SWMP will be finalised with specific measures to be implemented prior to the start of construction.

Appraisal of the Proposed Development

7.16.3 The oMWMP acts as a record of the application of the waste hierarchy and circular economy principles with the aim of prioritising the avoidance and reduction of waste and promoting resource efficiency. It will be updated every six months as a minimum throughout design and construction. All waste will also be managed in accordance with the duty of care requirements under Section 34 of the Environmental Protection Act 1990 and the Hazardous Waste (England and Wales) Regulations 2005.

7.17 Water Quality and Resources

7.17.1 The Applicant has committed to a number of Design Commitments to manage impacts to water quality including to set back development a minimum of 10 m from existing water bodies across the Proposed Development (50 m offset for Canal and River Trust watercourses) and identifying where trenchless technologies will be used when crossing watercourses (specifically Horizontal Directional Drilling (HDD)).

7.17.2 Chapter 15: Water Resources and Flood Risk (ES Volume 1) [**EN0110012/APP/LVS/06.01.15.00**] has assessed: surface water quality and quantity; groundwater quality and quantity; Water Dependent Terrestrial Ecosystems; and flood risk and drainage. Flood risk is covered by **Section 7.3.16** of this Planning Statement.

7.17.3 This section sets out the likely effects to, relevant water receptors, reported by the ES in respect of water resources, considered against planning policy and consideration. Chapter 15: Water Resources and Flood Risk (ES Volume 1) [**EN0110012/APP/LVS/06.01.15.00**] is supported by ES Volume 3, Appendix 15.2: Water Environment Regulations (Water Framework Directive) Compliance Assessment [**EN0110012/APP/LVS/06.03.15.02**] ('WER Assessment') which assesses the Proposed Development's potential impact on WER objectives.

Relevant Policy Summary

7.17.4 NPS EN-1 Section 5.16 requires the Applicant, where the project is likely to have effects on the water environment, to undertake an assessment of the existing status of, and impacts on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change, as part of the ES (paragraph 5.16.3).

7.17.5 Paragraph 5.16.15 outlines that consent will be refused where a project is likely to cause deterioration of a water body or fails to achieve good status or good potential (unless the requirements set out in Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19) are met).

7.17.6 Section 15 of the NPPF, *Conserving and enhancing the natural environment*, states that new and existing development should not pose an unacceptable risk of water pollution, and that it should help to improve local environmental conditions, including water quality.

7.17.7 The Selby District Core Strategy Local Plan (2013) aims to: protect against pollution; improve the quality of air, land and water resources; avoid over-exploitation of water resources; and prevent and protect development from noise, light and soil pollution.

7.17.8 The Selby District Local Plan (2005) includes policies on preventing groundwater pollution (Policy ENV2), development in areas with a high risk of flooding (Policy ENV5), and development within or which may affect a wildlife site including wetlands and geomorphological sites (Policy ENV7, Policy ENV8 and Policy ENV9).

Environmental Assessment Conclusions

7.17.9 No significant residual effects have been reported for water receptors during the construction and operational phases through the assessment of water resources reported on in Chapter 15: Water Resources and Flood Risk (ES Volume 1) [**EN0110012/APP/LVS/06.01.15.00**], after mitigation is applied. Best practice measures relating to water resources, secured via detailed management plans, accord with the oCEMP, oOEMP and oDEMP.

7.17.10 The WER Assessment has identified potential localised adverse effects on certain water bodies associated with: the use of trenchless methods for cable crossings; proposed new temporary and permanent culvert; and on the quality elements of certain water and groundwater bodies. These effects have been concluded by the WER Assessment to be minor and negligible and are therefore not anticipated to result in a deterioration in the current status of the water body or prevent the future achievement of status objectives.

Appraisal of the Proposed Development

7.17.11 In accordance with NPS EN-1, the DCO Application is accompanied by an assessment of the existing status of, and impacts of the proposed project on,

water quality, water resources and the water environment, as presented by Chapter 15: Water Resources and Flood Risk (ES Volume 1) [**EN0110012/APP/LVS/06.01.15.00]**. No adverse effects on water quality and resources are reported.

7.17.12 In response to paragraph 5.16.15 of NPS EN-1 regarding deterioration of a water body, WER Assessment concludes that the Proposed Development is not anticipated to pose a risk of causing a deterioration in status or preventing the future attainment of status objectives for the relevant water bodies. As such, the Proposed Development is deemed to be compliant with the requirements and objectives of the WER. The WER Assessment states that Regulation 19 tests are not deemed required for the Proposed Development

7.17.13 During construction and operation, surface water runoff will follow an established order of priority (infiltration to ground, surface water body, surface water sewer or other surface water systems, combined sewer). Access tracks will be designed to be permeable.

7.17.14 Embedded mitigation to offset development 10 m from any water bodies (50 m offset for Canal and River Trust watercourses for HDD) has been incorporated into the Design Parameters and Commitments [**EN0110012/APP/LVS/05.06**] and management plans will be in place to ensure effective implementation during the construction phase. These parameters will also ensure there is no stockpiling of materials and excavated spoil during construction.

7.17.15 Trenchless solutions will be utilised when / if crossing ditches that lead to the following designated sites: Common Wood SINC, Nightingale Wood SINC, Burr Closes SSSI, and Barber Rain SINC. Trenchless solutions will also be employed to pass beneath Ouse Bank-Westfield-Riccall Ings SINC that flanks the River Ouse, which will avoid direct impacts to the designated site. For some minor watercourse crossings (unnamed watercourses) trenchless techniques such as HDD may also be utilised. Horizontal Directional Drilling (HDD) is assumed to be the trenchless technique that will be used. For some unnamed watercourse crossings, open cut crossing techniques will be utilised in some instances and only where the watercourse receptor value is low. Details of the cable construction methodology can be found in ES Volume 3, Appendix 2.1: Cable Route Construction Method Statement [**EN0110012/APP/LVS/06.03.02.01**].

7.17.16 With embedded mitigation, best practice construction methods and good practice pollution prevention measures will be implemented.

7.17.17 The Proposed Development would be managed during its construction in accordance with a CEMP; an Outline CEMP (oCEMP) [**EN0110012/APP/LVS/07.02**], has been submitted with the DCO Application to secure the commitments, alongside an Outline Materials and Waste Management Plan (oMWMP) [**EN0110012/APP/LVS/07.07**]; Outline Soil Resources Management Plan (oSRMP) [**EN0110012/APP/LVS/07.14**]; and Outline Pollution and Spillage Response Plan (oPSRP) [**EN0110012/APP/LVS/07.08**], which contain commitments relevant to water

resources. Similarly, for decommissioning, the Applicant has submitted an Outline Decommissioning Environment Management Plan (oDEMP) [**EN0110012/APP/LVS/07.04**].

7.17.18 It is acknowledged that, during the operational phase, there is a risk of pollution from contaminants, including firewater and other chemicals associated with the BESS Compound and Substations. This includes deterioration of water quality as a result of potentially contaminated water runoff in the unlikely event of a fire.

7.17.19 As such, embedded mitigation proposed for the operational phase of the Proposed Development, includes designing the BESS Compound drainage design to allow for fire-water containment, with any fire-fighting water sprayed directed to fire water storage areas for suitable disposal. This is secured via an outline Battery Safety Management Plan (oBSMP) [**EN0110012/APP/LVS/07.06**] submitted as part of the DCO Application. This measure seeks to ensure pollution during operation is avoided.

7.17.20 Overall, the risk to watercourses from construction, operation and decommissioning activities is considered to be low and no unacceptable risk of water pollution has been identified. With regard to water quality and resources, the Proposed Development accords with NPS EN-1, the NPPF and local plan policies.

7.18 Special Category Land

7.18.1 The Order Limits includes three areas of Village Greens: Mount Pleasant recreation Ground (ES Figure 13.1 ref 36 south east of Riccall Village); Gateforth Green (ES Figure 13.1 ref 37 north west of Skipwith Village); and the Village Green, Skipwith (ES Figure 13.1 ref 38, south east of Skipwith Village) [**EN011001/APP/LVS/06.02.13.01.03**].

7.18.2 In all cases, the areas are adjacent to the highway and required on a temporary basis only during construction to ensure sufficient space and visibility for Abnormal Indivisible Load (AIL) vehicles or HGVs to safely access the Cable Route Corridor. It is also possible that, during operation, should equipment need to be replaced in the CRC, short-term temporary access for AILs / HGVs would be required.

7.18.3 NPS EN-1 paragraph 5.11.24 acknowledges that energy infrastructure projects may have indirect effects on the use, or planned use of land and this may include effects on open space. Paragraph 5.11.32 is explicit that the SoS should not grant consent for development on existing open space, sports and recreational buildings and land.

7.18.4 In the case of the Proposed Development, no permanent works will affect such land uses and therefore no independent assessment to demonstrate such uses are surplus to requirements is necessary. The temporary impacts relate to road widening, temporary removal of street furniture (where necessary) and vegetation management only.

7.18.5 The Socioeconomic Assessment [**EN0110012/APP/LVS/056.01.13**] concludes that due to the small amount and temporary nature of the use of land, in areas adjacent to the highway, the potential impact is minor adverse and not significant (for both construction and operational stages where maintenance is required).

7.18.6 NPS EN-1 paragraph 5.11.24 notes that where affecting green infrastructure, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development. In all cases, no long-term changes to the areas of Village Green would affect either functionality or connectively of the green infrastructure.

7.18.7 Any works affecting registered Village Greens, will be reinstated to match existing standards as far as is reasonably practicable unless otherwise agreed with North Yorkshire Council. This commitment is secured through both the oCEMP [**EN0110012/APP/LVS/07.02**] and the oOEMP [**EN0110012/APP/LVS/07.03**].

7.18.8 Although not directly required in response to the temporary impacts on Village Greens, it is worth noting the Applicant has made a commitment to deliver extensive green infrastructure as part of the Proposed Development. This is secured through the submitted Design Parameters and Commitments Document [**EN0110012/APP/LVS/05.06**] and the oLEMP [E**N0110012/APP/LVS/07.05**].

7.19 Other Considerations

Pollution Control and Other Environmental Regulatory Regimes

7.19.1 In decision making, the SoS should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted (paragraph 4.12.25of NPS EN-1).

7.19.2 The Other Consents and Licenses Statement [**EN0110012/APP/LVS/05.04]** details the additional consents and licences that are, or may be, required to construct and operate the Proposed Development. The Outline Construction Environmental Management Plan [**EN0110012/APP/LVS/07.02**], the Outline Operational Environmental Management Plan [**EN0110012/APP/LVS/07.03**] and the Outline Decommissioning Environmental Management Plan [**EN0110012/APP/LVS/07.04**] provide the framework for management of environmental impacts at construction, operation and decommissioning. The measures contained within these documents is secured by Requirements in Schedule 2 of the Draft Development Consent Order [**EN0110012/APP/LVS/03.01**].

7.19.3 With reference to paragraph 4.12.25of NPS EN-1, the Applicant considers there should be no reason for the SoS to believe that any operational pollution control permits, or licenses or other consents will not subsequently be granted.

Safety including Major Accidents and Disasters

7.19.4 The Proposed Development is unlikely to lead to any major accidents or disasters. EN-1 paragraph 4.3.4 sets out an expectation that proposals follow a mitigation hierarchy, that any likely significant negative effects would be avoided, reduced, mitigated or compensated for. Each chapter of the ES outlines the embedded and additional mitigation measures that have been employed where adverse impacts cannot be avoided or reduced, and these are set out in further detail in various management strategies such as (but not limited to) the Outline Construction Environmental Management Plan (oCEMP) [**EN0110012/APP/LVS/07.02]**, Outline Operational Environmental Management Plan (oOEMP) [**EN0110012/APP/LVS/07.03]** and Outline Battery Fire Safety Management Plan (oBFSMP) [**EN0110012/APP/LVS/07.06**]. Collectively, application of the mitigation hierarchy and use of embedded and additional mitigation measures will ensure the avoidance of major accidents and disasters.

7.19.5 Further, ES Chapter 7: Climate Change Resilience (ES Volume 1) [**EN00110012/APP/LVS/06.01.07**] outlines the climate-change specific mitigation measures, such as using a weather-resilient material specification, and elevation of flood-sensitive components, so the Proposed Development would not contribute to or worsen climate-related incidents over its lifespan.

Hazardous Substances

7.19.6 NPS EN-1 paragraph 4.14.5 and 4.14.6 states that applicants must consult the Hazardous Substances Authority (HSA), Health and Safety Executive (HSE) and Local Planning Authorities (LPA) regarding if the Proposed Development is within close proximity to sites with hazardous substances. The record of consultation is contained within the live Issues Tracker document. Saved Policy ENV2 of the 2005 Selby District Local Plan states that where there is a suspicion that the site might be contaminated, a site investigation/assessment may be required to be carried out and development has incorporated all measures shown necessary.

7.19.7 Through consultation, the HSE has advised on potential interfaces with Control of Major Accident Hazards (COMAH) consultation zones related to gas networks. The Applicant has engaged with National Grid Gas in order to seek to agree protective provisions and has also engaged with Northern Gas Networks. A Ground Conditions Preliminary Risk Assessment [**EN0110012/APP/LVS/06.03.16.03**] has been carried out, and an Outline Battery Fire Safety Management Plan (oBFSMP) [**EN0110012/APP/LVS/07.06**] prepared; no significant effects associated with battery fires or other electrical fires are anticipated. General best practice and mitigation measures will be in place via the Construction Environment Management Plan [**EN0110012/APP/LVS/07.02**]. Overall, the Proposed Development can suitably avoid, manage and mitigate any risk associated with hazardous substances, in accordance with EN-1 and Policy ENV2.

Common Law Nuisance and Statutory Nuisance

7.19.8 The Applicant has prepared a Statutory Nuisance Statement [**EN0110012/APP/LVS/05.07**] as required by Regulation 5(2)(f) of the APFP Regulations which requires that an application for a DCO Application must be accompanied by:

"*A statement setting out whether the proposal engages one or more of the matters in section 79(1) of the Environmental Protection Act 1990 (as amended) and if so how the Applicant proposes to mitigate or limit them*."

7.19.9 The relevant matters in section 79(1) that are engaged by the Proposed Development are: general site condition, air quality emissions, artificial light, and noise and vibration during construction, operation and maintenance, and decommissioning.

7.19.10 Mitigation measures are detailed within the Outline Construction Environmental Management Plan [**EN0110012/APP/LVS/07.02**], the Outline Operational Environmental Management Plan [**EN0110012/APP/LVS/07.03**] and the Outline Decommissioning Environmental Management Plan [**EN0110012/APP/LVS/07.04**] which will prevent impacts from having the potential to result in statutory nuisance.

7.19.11 The Statutory Nuisance Statement [**EN0110012/APP/LVS/05.07**] concludes that it is not expected that the construction, operation (and maintenance), and decommissioning of the Proposed Development would cause a statutory nuisance.

Security Considerations

7.19.12 NPS EN-1 paragraph 4.16.1 confirms that national security considerations apply across all national infrastructure sectors. Where national security implications have been identified, the Applicant should consult with the relevant security experts from the National Protective Security Authority (NPSA), the Office for Nuclear Regulation (ONR), and or the Department for Energy Security and Net Zero (DESNZ) to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks (NPS EN-1 paragraph 4.16.6).

7.19.13 The Applicant has not identified any relevant considerations of national security in relation to the Proposed Development.

7.19.14 Regarding security more generally, NPS EN-1 paragraph 4.16.4 states that:

"*Where possible, proportionate protective security measures should be designed into new infrastructure projects at an early stage in the project development*."

7.19.15 Regarding solar specifically, NPS EN-3 paragraph 2.10.39 sets out that:

"*Applicants should assess the visual impact of security measures, as well as the impacts on local residents, including for example issues relating to intrusion from CCTV and light pollution in the vicinity of the site."*

7.19.16 NPS EN-3 paragraph 2.10.40 adds:

"*Applicants should consider the need to minimise the impact on the landscape and the visual impact of security measures*."

7.19.17 Security measures including fencing, CCTV and lighting are described in Chapter 2: The Proposed Development (ES Volume 1) [**EN0110012/APP/LVS/06.01.02**]. The visual impact of these works is assessed in Chapter 10: Landscape and Visual (ES Volume 1) [**EN0110012/APP/LVS/06.01.10**].

7.19.18 In summary, the Proposed Development demonstrates compliance with NPS EN-1 paragraphs 4.16.6 and 4.16.4 and NPS EN-3 paragraphs 2.10.39 and 2.10.40.

Ground Conditions

7.19.19 NPS EN-1 paragraph 5.11.17 states that ground conditions and any risks arising from land instability and resources management are taken into account when deciding suitability of the site.

7.19.20 NPS EN-3 paragraph 2.10.2619 encourages Applicants to develop and implement a Soil Resources and Management Plan. This can help to use and manage soils sustainably and minimise adverse impacts on soil health and potential land contamination.

7.19.21 Local policy requires groundwater pollution, contamination and soil resources to be considered. Policy Selby District Local Plan (2005) Policy ENV2 and Selby District Core Strategy Local Plan (2013) Policy NE8 state that development will not be permitted if adverse effects are not satisfactorily remedied or prevented.

7.19.22 A Ground Conditions Preliminary Risk Assessment [**EN0110012/APP/LVS/06.03.16.03**], Soil Resources and Management Plan [**EN0110012/APP/LVS/07.14**], and Water Environment Resources Plan [**EN0110012/APP/LVS/07.16**] have been completed and submitted with the DCO Application.

7.19.23 A conceptual site model and preliminary contamination risk assessment was prepared for each of the Solar Development Sites and Cable Route Corridors. Given the nature of the Proposed Development and the existing greenfield site, there is considered to be a typically very low to low risk from contaminated land to human health or controlled waters receptors. A moderate/low risk associated with the Cable Route Corridors to Secondary and Principal aquifers was identified from potentially contaminated localised Made Ground or other pollution incidents.

7.19.24 Although no significant potential sources of contamination have been identified it is possible that unforeseen ground conditions or contamination from agricultural uses or possible infilled ground could be encountered during construction. Ground investigation to inform geotechnical appraisal of ground conditions will be required to support the detailed design stage and a discovery strategy will be adopted in the oCEMP [**EN0110012/APP/LVS/07.02**].

7.19.25 The oCEMP also includes provisions to safeguard the water environment and groundwater during construction including: use of permeable surfaces on internal

Solar PV access tracks, a 50 m stand off applied from all groundwater and surface water abstractions, use of underground cabling to minimise disruption to the ground, use of piling methods that minimise likelihood of creating pollution pathways, minimising areas of hardstanding for laydown and construction compounds and effective management of land drainage.

Minerals Safeguarding

7.19.26 A Minerals Assessment has been produced and can be found at Appendix 3 to this Statement [**EN0110012/APP/LVS/05.02.03**]. The assessment confirms that designated safeguarded minerals of brick clay and sand are present within the Order Limits. These minerals are safeguarded under Policy S01 of the Minerals and Waste Joint Plan (2022).

7.19.27 NPS EN-1 paragraph 5.11.19 states that any materials on the proposed site should be safeguarded as far as possible, and considers the long-term potential of the land use after decommissioning. Paragraph 5.11.28 goes on to state that appropriate mitigation measures should be put in place where a proposed development has an impact upon a Mineral Safeguarding Area (MSA).

7.19.28 Selby District Core Strategy Local Plan (2013) promotes, at Objective 15, making best use of natural resources including safeguarding known locations of minerals resources.

7.19.29 Policy S02 in the North Yorkshire County Council, North Yorkshire Moors National Park Authority and City of York Council Minerals and Waste Joint Plan (2022) ('the Minerals and Waste Joint Plan'), '*Developments proposed within Safeguarded Surface Mineral Resource areas'* states that permission for development other than minerals extraction will be granted where:

1. i. It would not sterilise the mineral or prejudice future extraction; or
2. ii. The mineral will be extracted prior to the development (where this can be achieved without unacceptable impact on the environment or local communities), or
3. iii. The need for the non-mineral development can be demonstrated to outweigh the need to safeguard the mineral; or
4. iv. It can be demonstrated that the mineral in the location concerned is no longer of any potential value as it does not represent an economically viable and therefore exploitable resource; or
5. v. The non-mineral development is of a temporary nature that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
6. vi. It constitutes 'exempt' development (as defined in the Safeguarding Exemption Criteria list), as set out in paragraph 8.55).

7.19.30 Policy S02 also requires applications for development (other than mineral extraction) in Safeguarded Surface Minerals Resource areas to include an assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

7.19.31 The appended Minerals Assessment [**EN0110012/APP/LVS/05.02.03**] reports that clay minerals and sand and gravel minerals are present in the area of the Proposed Development.

7.19.32 As shown in Figure 2.1: Illustrative Site Layout Plans (ES Volume 2) [**EN0110012/APP/LVS/06.02.02.01.01**], the majority of the Order Limits would be occupied by the solar PV panels, which would result in mineral sterilisation only (no extraction required). Where earthworks are proposed (associated with minor foundations and trenches), limited brick clay and sand minerals are anticipated to be extracted due to the discrete area and depth of earthworks proposed.

7.19.33 Overall, the Proposed Development is considered to have a negligible sterilisation impact due to the area of minerals that will be sterilised in comparison to the area of mineral available. The Proposed Development is also considered to have a negligible direct impact on the mineral resource, via extraction and disposal, due to the minor scale of earthworks proposed.

7.19.34 Any local sterilisation of mineral resources will be temporary (life-time of the Proposed Development). Following decommissioning of the Proposed Development, future extraction of any mineral will not be restricted. As the area occupied by the site is small in comparison to the overall resource, it is concluded that the need for the Proposed Development outweighs the need to safeguard the mineral resources.

7.19.35 The Minerals Assessment concludes that the Proposed Development complies with NPS EN-1 as:

1. The mineral resources within the Order Limits have been safeguarded as far as possible.
2. The long-term potential of the mineral following decommissioning of the Proposed Development is not impacted.

7.19.36 Policy S02 of the Minerals and Waste Joint Plan (2022) only requires developments to comply with one of the points set out in the policy and not all points. The Proposed Development complies with points i., iii. and v. of Policy S02:

1. The Proposed Development would temporarily sterilise the resource but does not prejudice future extraction.
2. Given the large volume of the resource within the region, it is considered that the need for the Proposed Development, as reported in the Statement of Need [**EN0110012/APP/LVS/06.01.02**], outweighs the need to safeguard the affected minerals in the short-term.
3. The Proposed Development has an anticipated total term of 65 years, and given the large volume of the resource within the region, it is considered that the minerals beneath the Order Limits are not likely to be needed during that period.

7.19.37 Overall, in accordance with NPS EN-1, paragraph 5.11.19, and local planning policies S01 and S02, the long-term potential of the land use after decommissioning will not be impacted by the Proposed Development. It is

demonstrated that safeguarding of the minerals has been considered through the preparation of the Minerals Assessment.

Glint and Glare

7.19.38 NPS EN-3 paragraph 2.10.96 states that applicants are expected to consider the geometric possibility of glint and glare affecting nearby receptors, for applications where those assessments are necessary. Paragraph 20.10.150 states the SoS should assess the potential impact of glint and glare on nearby homes, motorists, public rights of way, and aviation infrastructure. NPS EN-1 does not have specific policies on glint and glare, but does set out that applicants should consider the impact to performance of civil or military aviation, and other related defence interests. This may include the impact of glint and glare.

7.19.39 Paragraphs 2.10.126 to 128 of NPS EN-3 set out potential measures to mitigate effects including for example use of anti-glare / anti-reflective coating with a specified angle and adjustments of azimuth alignments, and using of screening. In paragraph 2.10.128 it is noted that the context of the azimuth alignment or elevation tilt angle, "*in practice this is unlikely to remove the potential impact altogether but in marginal cases may contribute to a mitigation strategy*".

7.19.40 The solar PV Panels will be bifacial monocrystalline panels, comprising two layers of toughened, low reflectivity glass. The solar modules will be either black or dark blue. The tracking panels has been assessed on the basis of an indicative orientation of variable+/-60º angle aligned north-south rows rotating east-west. The indicative orientation of the fixed panels would be in east-west rows with a fixed tilt angle of +10 to 35 degrees from horizontal.

7.19.41 The exact layout of azimuth alignments and elevation tilt angle will not be confirmed until the detailed design stage.

7.19.42 A dedicated Glint and Glare Study [**EN0110012/APP/LVS/06.03.16.04**] has been undertaken and submitted, alongside an Empirical Study relating to Glint and Glare and Aviation (Annex H) [**EN0110012/APP/LVS/06.03.16.04.01**] with the DCO Application in support of ES Chapter Sixteen [**EN0110012/APP/LVS/06.03.16**].

Glint and Glare – transport and dwellings

7.19.43 ES Chapter 16 predicts significant impacts in Year 1 for road users and on the railway in locations where there is no, or insufficient, existing vegetation screening.

7.19.44 For dwellings, significant temporary impacts are reported for six dwellings where fixed solar PV panels would be used, or for 10 dwellings where single axis tracking panels are used.

7.19.45 For roads and the railway, and for dwellings likely to experience significant adverse effects with both panel scenarios (fixed and or tracking), additional planting in the form of advanced planting has been proposed in order that new vegetation will be at a sufficient height to obstruct views of reflecting

panels once operational. For dwellings where impacts are only predicted from one panel configuration, there is currently no commitment to advance planting, but investigations will be undertaken at detailed design to confirm if the design would lead to the currently assessed impacts and if a significant moderate impact is still predicted. Design development will be undertaken to ensure significant any impacts are mitigated

7.19.46 The locations where advance planting may be implemented is shown in Figure 16.1 Advanced Planting for Glint and Glare Mitigation **[EN0110012/APP/LVS/06.02.16.1].**

7.19.47 The need for, and details of, the proposed advanced planting will be subject to re-assessment at detailed design, and this is secured through the oCEMP **[EN0110012/APP/LVS/07.02]** and oLEMP **[EN0110012/APP/LVS/07.05].**

Glint and Glare – Aviation

7.19.48 NPS EN-3 paragraph 2.10.151 notes "*whilst there is some evidence that glint and glare from solar farms can be experienced by pilots and air traffic controllers in certain conditions, there is no evidence that glint and glare from solar farms results in significant impairment on aircraft safety. Therefore, unless a significant impairment can be demonstrated, the Secretary of State is unlikely to give any more than limited weight to claims of aviation interference because of glint and glare from solar farms*".

7.19.49 Based on current illustrative layouts and the modelling undertaken, the Glint and Glare Study identifies potential moderate impacts on Sherburn-In-Elmet Airfield and Burn Airfield.

7.19.50 Noting NPS EN-3 guidance that there is no evidence that glint and glare from solar farms result in significant impairment on aircraft safety, the submitted aviation Empirical Study appended to the Glint and Glare Study (Appendix H) [**EN0110012/APP/LVS/06.03.16.04.01**] describes the outcome of consultations with 53 (33 responses) aerodrome operators in the UK who have operational solar PV installations in their vicinity. In summary the consultation responses were that no adverse glare effects have been experienced or reported.

7.19.51 The Applicant has therefore determined that the development of specific mitigation measures for these airfields is not required, as the Empirical Study demonstrates that the modelled results do not lead to real world impacts.

7.19.52 Consultation has also been undertaken with other airfields where 'yellow' glare is predicted but is considered operationally accommodatable, given the short durations of yellow glare and low traffic volumes at the airfields. Details of the predicted glare scenario at each airfield, including times, will be provided before the Proposed Development is operational, to allow pilots to be briefed on the potential for glare and a communications protocol will be developed between the Proposed Development and airfields in relation to glint and glare issues'. This is secured in the oOEMP.

7.20 Cumulative Effects

Relevant Policy Summary

7.20.1 The Infrastructure Planning (Environmental Impact Assessment) Regulations (2017) (Ref 5) require *"a description of the likely significant effects of the development on the environment resulting from, inter alia: (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources".*

7.20.2 NPS EN-1 paragraph 4.1.5 outlines that in considering any proposed development, and when weighing its adverse impacts against its benefits, the SoS should consider *"cumulative adverse impacts"* among other things.

7.20.3 Paragraph 4.2.25 outlines that *"the cumulative impacts of multiple developments with residual impacts should also be considered"*.

Assessment Findings

7.20.4 Chapter 17: Cumulative and In-combination Effects (ES Volume 1) [**EN0110012/APP/LVS/06.01.17**] presents the findings of an assessment of the potential cumulative and in-combination effects arising from the construction, operation and decommissioning of the Proposed Development. This includes:

1. In-Combination Effects: the combined effect of individual impacts from the Proposed Development, which have been identified as part of the assessments reported within ES Chapters 5 to 16 (ES Volume 1) [**EN0110012/APP/LVS/06.01**] that are considered likely to result in a new or different likely significant impacts on their own. For example, this can occur during construction if a receptor is subjected to noise, dust, and visual impacts associated with the Proposed Development; and
2. Cumulative Effects: where there is the potential for two or more developments that are reasonably foreseeable and/or consented, but not yet forming part of the baseline environment, within close enough proximity to the Proposed Development to lead to significant cumulative effects on the same receptor. ES Chapters 5 to 16 (ES Volume 1) [**EN0110012/APP/LVS/06.01**] assess where there are cumulative effects, with a summary provided in this chapter.

7.20.5 The in-combination assessment is presented through Tables 17-8 and 17-9 within Chapter 17: Cumulative and In-combination Effects (ES Volume 1) [**EN0110012/APP/LVS/06.01.17**] and concludes that there are no residual effects on receptor groups that would combine to produce a more significant effect than those already identified for each receptor group.

7.20.6 The cumulative effects assessment is presented in Section 17.6 of ES Chapter 17. Where the location of a scheme falls outside of the Zone of Influence (ZOI) for a topic, the scheme was scoped out of the cumulative assessment for that topic due to there being no reasonable pathway by which effects could arise.

7.20.7 The conclusions of the cumulative assessment for each environmental topic are presented in Table 17-12. In summary:

1. Cumulative effects assessment was not carried out in relation to Climate change resilience as the assessment considers the resilience of the Proposed Development, not the combined impact from a range of different activities and other surrounding developments. Similarly, no assessment was undertaken for Greenhouse gas emissions (GHG) as the single receptor for GHG emissions is the global climate.
2. No significant cumulative effects are concluded in relation to Agricultural land and soils, Biodiversity, Cultural heritage, Noise and vibration, Ornithology, Socioeconomics, Traffic and movement, Water resources and flood risk, with appropriate mitigation measures implemented.
3. The assessment of cumulative landscape effects concluded four significant cumulative effects on Landscape Character Areas (LCAs) 3, 11, 13 and 14 during construction and decommissioning as well as during year 1 of operation for LCA's 3 and 11, prior to mitigation establishing.
4. The assessment of cumulative visual effects concluded 17 potentially significant effects for residential receptors, people travelling on local roads and PRoW users. For four of the receptor's identified effects are anticipated during construction and decommissioning phases whilst for the other 13 receptors, effects are anticipated for construction, decommissioning and year 1 of operation. No significant cumulative effects are concluded beyond year 1 of operation.

Appraisal of the Proposed Development

7.20.8 In compliance with NPS EN-1 paragraph 4.3.3 an assessment of likely significant cumulative effects has been carried out as part of the EIA for the Proposed Development and presented through Chapter 17: Cumulative and In-combination Effects (ES Volume 1) [**EN0110012/APP/LVS/06.01.17**].

7.20.9 This concludes that no significant in-combination effects are anticipated in relation to the Proposed Development and cumulative effects which are focussed on landscape and visual effects during construction, year one of operation and decommissioning phases.

8 Conclusion and Planning Balance

8.1 Decision Making

8.1.1 Applications for energy developments that are nationally significant under the Planning Act 2008 are determined in accordance with NPS EN-1 and technology specific national policy statements where relevant, which are NPS EN-3 and NPS EN-5 in this case (NPS EN-1, paragraph 1.1.2).

8.1.2 Under the Planning Act 2008, where a national policy statement has effect, the Secretary of State must also have regard to:

1. Any local impact report submitted by a relevant local authority. Such a report is expected to be submitted by North Yorkshire Council through the Examination.
2. Any other matters prescribed in the regulations.
3. The Marine Policy Statement and any applicable Marine Plan (not relevant to this DCO Application); and
4. Any other matters which the Secretary of State thinks are both important and relevant to the planning decision.

8.1.3 A Policy Compliance Document [**EN0110012/APP/LVS/05.12**] has been submitted with the submitted DCO Application.

8.1.4 As set out in NPS EN-1 paragraph 1.1.4, the Planning Act 2008 (Section 104) also requires that, where an NPS has effect, the Secretary of State must decide an application for energy infrastructure in accordance with the relevant national policy statements except to the extent that the Secretary of State is satisfied that to do so would:

1. Lead to the UK being in breach of its international obligations.
2. Be in breach of any statutory duty that applies to the Secretary of State;
3. Be unlawful;
4. Result in adverse impacts from the development outweighing the benefits; or
5. Be contrary to regulations about how decisions are to be taken.

8.1.5 The evidence presented with the submitted DCO application confirms that exceptions a) to d) are engaged, and there are no conditions relevant to the Proposed Development prescribed for deciding the application otherwise than in accordance with the NPSs for Energy (EN-1), Renewable Energy (EN-3) or for Electricity Networks (EN-5) (s104(8)).

8.1.6 This Planning Statement demonstrates that the Proposed Development fully satisfies the requirements of the Planning Act 2008 and the relevant National Policy Statements (NPS EN-1, EN-3, and EN-5). The urgent national need for large-scale renewable energy infrastructure is established as a critical national priority, and the Proposed Development is directly aligned with the government's objectives for decarbonization, energy security, and affordability.

8.1.7 The application has been prepared and assessed in accordance with Section 104 of the Planning Act 2008. The Secretary of State is required to determine the

application in line with the relevant NPSs unless one or more of the statutory exceptions apply, which in the case of the Proposed Development is not applicable. The Proposed Development is also consistent with the National Planning Policy Framework and relevant local planning policies, with full regard given to other material considerations.

8.1.8 NPS EN-1 sets out that low carbon infrastructure such as solar power has been identified as critical national priority (CNP) infrastructure (paragraphs 4.2.16 and 4.2.17). This means that if any non-HRA or non-MCZ residual impacts remain after application of the mitigation hierarchy, the urgent need for solar and other forms of CNP infrastructure is likely to outweigh those residual impacts of development in all but the most exceptional circumstances (paragraph 4.2.28).

8.1.9 The Proposed Development has followed a robust Environmental Impact Assessment (EIA) process, which has identified where environmental effects are likely to be 'moderate' or 'major', and therefore 'significant' in EIA terms. The mitigation hierarchy has been followed throughout the project. Where the EIA predicts a significant adverse effect on one or more receptors, it has been considered whether further mitigation measures could be implemented to avoid or reduce the effect or reduce the likelihood of it happening.

8.1.10 As the design has evolved, effects have been avoided or reduced where practicable through measures that form part of the design, or methods for construction and operation ('embedded mitigation'), for example, the use of an Outline Construction Environmental Management Plan.

8.1.11 As a result of embedded mitigation measures, very few residual adverse effects have been identified, for which compensation is not considered to be necessary. The residual adverse effects which include: temporary long term significant effects on Grade 1 and 2 agricultural land; possible biodiversity effects at decommissioning caused by reversion of grassland habitat to cropland; landscape character alterations and visual effects on a small number of locations; and cumulative landscape and visual impacts due to the size of other developments, have all been assessed according to the worst-case scenario.

8.1.12 There are no residual impacts that present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or onshore flood risk remain after application of the mitigation hierarchy. Therefore, as none of the stated exceptions apply, the Proposed Development is a CNP project.

8.2 Planning Balance

8.2.1 Paragraph 4.1.3 of NPS EN-1 sets out a presumption in favour of granting consent for applications for energy NSIPs given the level and urgency of need for CNP solar energy infrastructure. This presumption applies unless any more specific and relevant policies set out in the relevant NPS' clearly indicate that consent should be refused. Therefore, an assessment of the planning balance is required to determine whether this is the case.

8.2.2 As set out in paragraph 4.1.5 of NPS EN-1, when weighing impacts of a proposed development against its benefits, the Secretary of State should take into account:

1. Its potential benefits including its contribution to meeting the need for the Clean Power 2030 Mission and net zero, energy infrastructure, job creation, reduction of geographic disparities, environmental enhancements, and any long-term or wider benefits.
2. Its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy.

8.2.3 Mitigation hierarchy is defined in the NPS EN-1 glossary as, "*a term to incorporate the avoid, reduce, mitigate, compensate process that applicants need to go through to protect the environment and biodiversity*".

8.2.4 Weight is defined on a scale as follows: 1) limited 2) moderate 3) great 4) significant 5) substantial. To avoid confusion with EIA terminology, and to distinguish the planning balance from the ES conclusions, the term 'significant' is not used to describe weight within this assessment and instead 'very great' is used.

8.2.5 The Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in NPS EN-1, relevant technology-specific NPS', in the application or elsewhere (including local impact reports, marine plans, and other material considerations) (NPS EN-1 paragraph 4.1.6).

8.2.6 Para 4.1.7 of NPS EN-1 relates to situations where the Secretary of State considers that residual adverse effects would remain after mitigation. In this case, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects that qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects not capable of being addressed by application of the mitigation hierarchy, in all but the most exceptional cases.

8.2.7 As the Proposed Development has been established as CNP Infrastructure, the residual adverse effects identified through the EIA process are considered to be outweighed by the need for, and benefits arising from, the Proposed Development.

8.2.8 The following paragraphs summarise benefits and impacts of the planning appraisal set out in **Sections 7.2 to 7.18** of this Planning Statement, with reference to the tests in paragraph 4.1.5 of NPS EN-1.

Benefits of the Proposed Development

Meeting the need for energy infrastructure

8.2.9 The Proposed Development will deliver its grid connection offer of 500 MW of renewable electricity, including storage capacity, supporting the UK's Clean

Power 2030 Action Plan and Net Zero 2050 target. It will make a significant contribution to national decarbonisation, energy security, and the resilience of the electricity system. The integration of battery energy storage maximises land use efficiency and aligns with government policy to support co-located renewable and storage infrastructure. The substantial positive contribution to meeting the urgent need for renewable electricity generation established in NPS EN-1 should be afforded substantial weight in favour of the Proposed Development.

Job creation and reduction of geographic disparities

8.2.10 The Proposed Development will have medium-term beneficial effects for employment, with 217 jobs to be created locally during the construction phase (of 434 net construction jobs in total). As the employment creation is not considered to be significant, this benefit is afforded limited weight in favour of the Proposed Development.

Biodiversity Net Gain

8.2.11 The Proposed Development has followed an environmentally led design approach, along with biodiversity and nature recovery, as key Design Principles. The development will deliver biodiversity net gain equating to 78.30% for habitat units, 72.12% for hedgerow units and 10.42% for watercourse units, significantly in excess of the 10% net gain standard. This delivery of BNG should therefore be afforded substantial weight in favour of the Proposed Development.

Environmental enhancements

8.2.12 Alongside BNG, the Proposed Development will help to restore landscapes through measures including planting to repair and reinforce existing vegetation patterns, along with new habitat creation to support protected species.

8.2.13 The Bird Mitigation Area (BMA) within SDS 1 for wintering non-breeding birds, also delivers additional benefits by creating an extensive undisturbed habitat for other species including breeding birds.

8.2.14 By switching from arable agricultural use to pasture, the Proposed Development will deliver long term improvements to soil quality. Where works do have effects on soils, measures for soil stripping, effective storage and reinstatement are set out in the Outline Soil Resources Management Plan.

8.2.15 The Proposed Development has also been carefully designed to avoid loss of irreplaceable habitats, including ancient woodland and veteran trees, as per the findings of the Arboricultural Impact Assessment (AIA).

8.2.16 Embedded mitigation measures will be employed through an Outline Construction Environmental Management Plan such as reducing the risk of artificial lighting on species, and use of sensor-triggered lighting where required. Landscape restoration measures are outlined in the Outline Environmental Management Plans including the Outline Landscape and Ecological Management Plan (oLEMP) [**EN0110012/APP/LVS/07.05**].

Opportunities for how landscape measures can be delivered are presented in the Outline Environmental Masterplan.

8.2.17 The measures to restore landscapes, create habitats and the long-term improvements to soil quality should be afforded 'very great' weight in favour of the Proposed Development.

Long-term or wider benefits

8.2.18 As set out in NPS EN-1 (from paragraph 2.1.1) the Proposed Development is expected to contribute to wider benefits including:

1. Contribution to a secure and reliable supply of energy;
2. Affordable bills for households and businesses;
3. Reducing the UK's dependence on imported oil and gas;
4. Contribution to Net Zero ambitions, including a significant beneficial effect during the operation and maintenance phase, achieving a net reduction in GHG emissions.

8.2.19 At the local level, the Proposed Development will enhance the landscape through planting. It will also deliver sustainable changes to three Public Rights of Way and create, for the duration of the Proposed Development, improved access to nature and recreational opportunities locally by the creation of new permissive paths.

Neutral Impacts

8.2.20 The following topics set out in NPS EN-1 and assessed in the Environmental Statement confirm there will be no significant residual effects from the Proposed Development. In each case, the assessment concludes that, with embedded and additional mitigation, significant adverse effects can be avoided or reduced to acceptable levels.

8.2.21 On this basis, the following are afforded neutral weight in the planning balance:

1. Design
2. Flood Risk
3. Green Belt
4. Human Health
5. Air Quality and Emissions
6. Noise and Vibration
7. Socioeconomic Impacts and Land Use
8. Traffic and Transport
9. Resources and Waste Management
10. Water Quality and Resources
11. Network Connection
12. Pollution Control and Other Environmental Regulatory Regimes
13. Safety including Major Accidents and Disasters
14. Hazardous Substances
15. Common Law Nuisance and Statutory Nuisance

16. Security Considerations
17. Ground Conditions
18. Minerals
19. Glint and Glare
20. EMF

8.2.22 The scale and nature of the development means that some residual, localized impacts may persist. Key areas with potential adverse impacts are summarised below.

Potential Adverse Impacts

8.2.23 As set out in paragraph 8.2.2 above, the Secretary of State should take into account potential adverse impacts of the Proposed Development, including on the environment, and including any long-term and cumulative adverse impacts, as well as measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy.

8.2.24 The Environmental Statement assesses potential adverse impacts of the Proposed Development in detail. The Applicant has followed an approach of embedded mitigation throughout the design phase, to ensure that negative impacts are avoided in the first instance through design decisions. Where residual impacts have been identified, the mitigation hierarchy has been applied, seeking to reduce and mitigate impacts.

Historic Environment

8.2.1 Where effects on the buried archaeological resource could occur, additional mitigation has been identified, comprising archaeological excavation or monitoring to ensure features are properly recorded prior to any impacts. Details are set out within the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**].

8.2.2 There remains potential for as yet unidentified buried archaeological remains within un-surveyed areas of the CRC and in small areas adjacent to some HIAs. Where effects on the buried archaeological resource could occur, mitigation is set out within the Archaeological Mitigation Strategy [**EN0110012/APP/LVS/07.11**].

8.2.3 The potential for a possible residual adverse impact is afforded limited weight.

Landscape and Visual

8.2.4 Adverse landscape and visual impacts have been identified for locally designated Landscape Character Areas, SDSs and some local visual receptors during the construction phase and year 1 of operation. 71 initial significant effects have been identified, with 50 significant effects from construction to year 15.

8.2.5 Following the mitigation hierarchy, impacts that cannot be designed out have been reduced where possible, for example by using buffers between residential dwellings and SDSs. Boundary planting is proposed to reduce and mitigate

impacts by screening views of solar panels, thereby reducing these adverse impacts effects over time. According to the ES, from operational year 15, the number of residual significant effects reduces to eight only as mitigation planting matures.

8.2.6 The remaining residual impacts at operational year 15 are identified for residents and users of Public Rights of Way in proximity to the SDSs:

1. Landscape effects within SDSs 2, 6 and 7.
2. Visual effects for residents of Siddle Farm House,
3. Visual effects for people travelling along footpaths 35.28/1/1, 35.28/3/1, 35.37/8/1 and 35.10/2/1.

8.2.7 National policy recognises that all proposed energy infrastructure is likely to have visual effects for many receptors around a proposed site (NPS EN-1 paragraph 5.10.13). The Proposed Development also requires a countryside location. As set out in paragraph 5.10.14 of NPS EN-1, the Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.

8.2.8 The residual effects are highly localised, limited to landscape effects within three SDSs, and visual effects for a single property, and views from four footpaths. The landscape and visual impacts will be largely reversible following decommissioning. Therefore, in the planning balance, the residual significant effects identified at year 15 should be afforded moderate weight, especially when set in the context of the need for CNP infrastructure.

Agricultural Land and Soils

8.2.9 As demonstrated through the Site Selection Assessment Report, although the Applicant sought initially to avoid the use of BMV agricultural land, it was necessary to widen the search criteria to include land constrained by BMV agricultural land. Within the SDSs (900 ha in total), 54% of land is classified as BMV agricultural land, 20% of which is Grade 1 and 2, and 24% of which is Grade 3a.

8.2.10 The ES confirms that the Proposed Development would have a direct, long-term (lifetime of the Proposed Development), temporary and reversible moderate adverse effect on Grades 1 and 2 agricultural lands, which is significant, and a minor adverse effect on Subgrade 3a and 3b agricultural land, which is not significant.

8.2.11 In particular, the ES identifies that the BESS, which extends to 10.5 ha within SDS 2, will be located on Grade 1 and 2 agricultural land. As this soil is high sensitivity and subject to a medium magnitude of impact, the resulting effect is assessed as major adverse (significant).

8.2.12 NPS EN-3 advises that development of ground mounted solar arrays is not prohibited on BMV agricultural land (paragraph 2.10.22). However, applicants are required to explain their choice of site, noting preference for suitable brownfield,

industrial and low and medium grade agricultural land where possible (paragraph 2.10.23). Food production is no longer a relevant policy test, as per the NPPF 2024.

8.2.13 Chapter 3: Alternatives and Design Iteration (ES Volume 1) [**EN0110012/APP/LVS/06.01.03**] and the Site Selection Assessment Report [**EN0110012/APP/LVS/06.03.03.01**] set out the process of site selection and demonstrate how impacts to BMV agricultural land have been balanced against other factors in determining the SDSs as being the most appropriate location for the Proposed Development, taking account of flood risk, sensitive receptors, heritage impacts and safe access.

8.2.14 The Applicant has demonstrably made every effort to direct built infrastructure, as much as possible, away from highest grade BMV agricultural land. While this was largely successful for the substations, some aspects of built infrastructure are located on BMV agricultural land, including the BESS on SDS 2, which was determined to be the most appropriate location, on balance, with reference to other constraints.

8.2.15 The impacts to BMV agricultural land are considered to be outweighed by the benefits of the Proposed Development and comply with policy for the following reasons:

1. caNPS EN-3 does not prohibit development of ground mounted solar arrays on BMV agricultural land, as such, the land use change is acceptable in principle subject to the Applicant explaining their choice of site, which has been documented extensively through the DCO Application.
2. The predominant impact to soils arises from a change in land use, from the agricultural use to solar infrastructure, rather than degradation or loss of the land. As noted above, the NPS does not preclude such changes in land use.
3. The Proposed Development affects a small proportion of BMV agricultural land at both a local and regional level.
4. All affected landowners have voluntarily agreed to be involved in the Proposed Development, which will provide a long-term alternative income source and a stable diversification option for agricultural businesses, protecting remaining farm operations.
5. The polar PV panels, making up the majority of the land within the Order Limits, will reveal overall improvements to soil quality following decommissioning.
6. Climate change and other environmental pressures are a bigger risk to food production in the UK than renewable energy infrastructure (Clean Energy Superpower Mission, SoS for Energy Security and Net Zero, July 2024).
7. Detailed Soil Resources Management Plans (SRMPs) will be prepared in substantial accordance with the Outline SRMP [**EN0110012/APP/LVS/07.14**] submitted with the DCO Application. This will include adopting and implementing good proactive measures to minimise damage to soils that remain in place and those that are stripped, stockpiled and reinstated; minimise soil carbon losses; maintain water infiltration; and enhance soil biodiversity.

8.2.16 In summary, as the change in land use is allowed in principle, as supported by extensive evidence, along with the small overall proportion of BMV agricultural land impacted by the Proposed Development, disturbance to agricultural soils is afforded limited weight in the planning balance.

Temporary Construction Impacts

8.2.17 Construction activities will generate temporary adverse effects, including increased traffic, noise, dust, and disruption to local communities and businesses. Some Public Rights of Way will require diversion or temporary closure. While these impacts are managed through construction management plans and are time-limited, they may cause inconvenience and disturbance during the build period. Construction impacts are afforded limited weight against the Proposed Development in the planning balance.

Planning Balance Conclusion

8.2.18 The Applicant has undertaken a proportionate, environmentally led site selection process, balancing technical, environmental, and community considerations. Where residual impacts—relating to flood risk, landscape and visual effects, agricultural land, temporary construction impacts—could not be entirely avoided, the Applicant has demonstrated that these have been minimised through design evolution, embedded mitigation, and best practice. The planning assessment confirms that no residual effects would result in unacceptable risk or outweigh the urgent need for the Proposed Development.

8.2.19 According to NPS EN-1, where residual impacts remain after application of the mitigation hierarchy, the urgent need for solar CNP infrastructure is likely to outweigh these residual impacts in all but the most exceptional circumstances.

8.2.20 Potential adverse impacts have been rigorously assessed and are either temporary and reversible, or outweighed by the Proposed Development's substantial benefits. The planning balance is clear: the demonstrable need for the Proposed Development, its alignment with national and local policy, and the comprehensive suite of mitigation and enhancement measures all point decisively toward granting development consent.

8.2.21 In summary, the Proposed Development is policy compliant, environmentally responsible, and delivers significant public and national benefits. It will provide critical infrastructure to help meet the UK's climate and energy goals, while managing local impacts with care and delivering lasting value to the community and environment. The Applicant respectfully requests that the Planning Inspectorate recommend, and the Secretary of State grant, development consent for the Proposed Development.

9 Glossary

Term	Acronym	Definition
Battery Energy Storage System	BESS	Technology that stores energy for later use, helping to balance supply and demand in the electricity grid.
Biodiversity Net Gain	BNG	An approach to development, land and marine management that leaves biodiversity in a measurably better state than before the development took place
Cable Route Corridor	CRC	The area where underground electrical Grid Connection Cables and Interconnecting Cables will be located. The Cable Route Corridor is typically 50 m wide, but in a number of locations such as utility or road and rail crossings, it widens up to 450 m wide, noting the typical construction working width is typically 25 m wide. The exact location of cables within the Cable Route Corridor will be determined at the detailed design stage.
Carbon Budget	n/a	A cap on the amount of greenhouse gases emitted over a specific period.
Clean Power 2030	n/a	The UK government's action plan to achieve a clean power system by 2030.
Critical National Priority	CNP	Infrastructure projects deemed essential for achieving national energy objectives, security, and economic benefits within NPS EN-1.
Department of Energy Security and Net Zero	DESNZ	The UK government department responsible for energy security and achieving net zero emissions.
Design Approach Document	DAD	A document that sets out the overarching design vision, principles, and rationale for a development, explaining how good design has been considered and embedded throughout the project lifecycle.
Design Principles	n/a	Site-specific design objectives used to guide the evolution of a project.
Development Consent Order	DCO	A legal order granting permission for the development of a Nationally Significant Infrastructure Project.
Electromagnetic Field	EMF	Property of space caused by the motion of an electric charge and is the product of mutual interaction between electric fields and magnetic

Term	Acronym	Definition
		fields. A such, these are produced in the surrounding area of anywhere there is an electric current.
Environmental Impact Assessment	EIA	The process that evaluates the environmental effects of the Proposed Development.
Environmental Statement	ES	A document presenting the findings of the Environmental Impact Assessment for a project.
Examining Authority	ExA	The Examining Authority is the inspector or panel of inspectors appointed by the Secretary of State to examine a Development Consent Order application for a Nationally Significant Infrastructure Project.
Glint	n/a	A momentary flash of bright light typically received by moving receptors or from moving reflectors
Glare	n/a	A continuous source of bright light typically received by static receptors or from large reflective surfaces
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009	APFP Regulations	The regulations setting out what must be included in a Development Consent Order application.
Landscape Character Area	LCA	A distinct, recognisable, and consistent pattern of elements in the landscape.
Local Planning Authority	LPA	The local government body responsible for planning and development control within its area.
Locally Important Landscape Area	LILA	A landscape area designated for its local significance and value.
Lowest Observed Adverse Effect Level	LOAEL	The level above which adverse noise and vibration effects on health and quality can be detected.
National Planning Policy Framework	NPPF	A framework that sets out the government's planning policies for England and how they should be applied.
National Policy Statement	NPS	Documents that set out national policy for major infrastructure projects.
Nationally Significant Infrastructure Project	NSIP	Projects that meet certain thresholds defined in the Planning Act 2008, requiring development consent from the Secretary of State.
North Yorkshire Council	NYC	The host local authority.

Term	Acronym	Definition
(outline) Construction Environmental Management Plan	oCEMP or CEMP	A document outlining how environmental impacts will be controlled during the construction phase.
(outline) Decommissioning Environment Management Plan	oDEMP or DEMP	A document explaining how the project will be safely removed and land restored at end of life.
(outline) Operational Environment Management Plan	oOEMP or OEMP	A document outlining how environmental impacts will be controlled during the operational phase.
(outline) Landscape and Ecological Management Plan	oLEMP or LEMP	A plan setting out how landscaping and ecological enhancements will be delivered and maintained over time.
Permissive Path	n/a	A route provided by the landowner for public access, not a legally protected Right of Way.
Solar Photovoltaic Panel	Solar PV Panel	Solar photovoltaic panel designed to convert solar irradiance to electrical energy.
Planning Act 2008	PA 2008	The Planning Act 2008 is a UK law that streamlines the approval process for nationally significant infrastructure projects.
Planning Inspectorate	PINS	The executive agency, sponsored by the Ministry of Housing, Communities and Local Government, that deals with national infrastructure planning applications.
Planning Practice Guidance	PPG	Detailed national policy guidance intended to add context to the National Planning Policy Framework and guide plan-making and decision-taking within England's planning system.
Preliminary Environmental Information Report	PEIR	Preliminary Environmental Information is defined in the EIA Regulations as: "information referred to in regulation 14(2) which – (a) has been compiled by the applicant; and (b) is reasonably required for the consultation bodies to develop and informed view of the likely significant environmental effects of the development (and of any Associated Development)."
Public Rights of Way	PRoW	Legal routes over land which the public can use for walking, cycling, horse riding, or driving, depending on the classification.
Rochdale Envelope	n/a	A flexible approach to assess a range of possible development scenarios within the EIA.

Term	Acronym	Definition
Secretary of State	SoS	A senior official in the UK government responsible for determining a DCO application.
Significant Observed Adverse Effect Level	SOAEL	The level above which significant adverse noise and vibration effects on health and quality occur.
Solar Development Site	SDS	A term used to describe the land that accommodates the Ground mounted PV Modules and Conversion Units.
Statement of Common Ground	SOCG	A written statement summarising agreed and outstanding matters between the applicant and stakeholders.
The Applicant	n/a	Light Valley Solar Ltd

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11 Appendix 1: Planning History

See EN0110012/APP/LVS/05.02.01

12 Appendix 2: Grey Belt Assessment

See EN0110012/APP/LVS/05.02.02

13 Appendix 3: Mineral Assessment

See EN0110012/APP/LVS/05.02.03

14 Appendix 4: Equality Impact Assessment

See EN0110012/APP/LVS/05.02.04

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