Annette Exley
[redacted]
[POSTCODE]

[redacted]

8 August 2026

The Examining Authority
Light Valley Solar
The Planning Inspectorate
Submitted through the project webpage

Dear Sir or Madam

APPLICATION BY LIGHT VALLEY SOLAR LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR LIGHT VALLEY SOLAR
PLANNING INSPECTORATE REFERENCE: EN0110012
WRITTEN REPRESENTATION SUBMITTED AT DEADLINE 1

Interested Party Reference: [INSERT IP NUMBER]

I am a registered Interested Party in this Examination. I enclose my Written Representation, submitted in accordance with the Examining Authority's invitation at Deadline 1.

I object to the grant of development consent for the Proposed Development. My objection is to the Order in its entirety, and extends to all Work Numbers set out in Schedule 1 of the draft Development Consent Order, and in particular to Work No. 2 (the Battery Energy Storage System), Work No. 3 (the onsite substations proposed on Solar Development Sites 1, 2 and 4), Work No. 5 (the electrical cabling and Cable Route Corridor) and to the powers of compulsory acquisition and temporary possession sought.

The purpose of this letter is to identify, by reference to the application documents themselves, the specific parts of the application to which my objections are directed. The Schedule below sets out, for each document, the part objected to, the nature of the objection, and the section of my Written Representation in which the objection is developed.

Document references are given in the Applicant's own format (EN0110012/APP/LVS/...) as used throughout the application. Paragraph and table references are given where I have been able to identify them; where a reference is to a document I have not been able to examine in full, the objection is framed as a request for information rather than as an assertion, and this is stated in the relevant section of my Written Representation.

I confirm that I wish to be notified of all future deadlines and events in this Examination, and I reserve the right to comment further at subsequent deadlines. I should be grateful for acknowledgement of receipt.

Yours faithfully

Annette Exley

SCHEDULE OF OBJECTIONS BY APPLICATION DOCUMENT

Light Valley Solar - EN0110012 - Annette Exley - Deadline 1

Application document	Part objected to	Nature of objection	WR
ES Volume 1, Chapter 3: Alternatives and Design Iteration 06.01.03	Site search area and criteria; design iteration; exclusion of Solar Development Site 5	Search confined by the secured grid connection rather than environmental suitability; constraints relaxed rather than avoided; reasons for exclusion of Site 5 not stated. Does not satisfy Schedule 4 paragraph 2 of the EIA Regulations 2017.	**3, 4**
ES Volume 3, Appendix 3.1: Site Selection Assessment Report 06.03.03.01	Area of search; discounting of brownfield and employment land; sequential approach	Alternatives discounted by reference to proximity to the Applicant's existing connection. Sequential Test applied within an artificially narrow search area.	**3, 5**
Grid Connection Statement 05.10	Section 2 (paras 2.1.1 to 2.1.5); para 3.1.6; Section 7	No contracted connection date stated. No reference to connections reform or to Gate 1 / Gate 2 status, despite finalisation after the December 2025 outcome. Refers to substations on Sites 2 and 4 only, omitting the Site 1 substation. Principal electrical configuration left undetermined between Sites 2 and 4.	**10, 11**
ES Volume 1, Chapter 15: Water Resources and Flood Risk 06.01.15	Sequential and Exception Test; climate change allowances	Sequential Test not demonstrated on an unconstrained search area. Flood vulnerability classification of the substations not clearly stated.	**5**
ES Volume 3, Appendix 15.1: Flood Risk Assessment and Drainage Strategy 06.03.15.01	Flood Zone extents by site; Site 4 substation; fire water containment	Site-by-site Flood Zone areas not presented in hectares and percentages. Flood risk implications of a 275kV substation on Site 4, at the northern edge of the River Aire, not separately addressed.	**5, 10**
ES Volume 3, Appendix 15.4: Outline Drainage Strategy 06.03.15.04	Culverting; BESS containment; post-consent drainage design	Two permanent and eighteen temporary culverts proposed against NPS EN-3 guidance that culverting be avoided. Detailed drainage strategy deferred to post-consent approval.	**5, 10**
Water Resource Assessment 07.16	Paras 3.1.8 and 4.6.2; Section 4.3; Table 4-2; Annex B.1.4	Water required to fill the firefighting storage tanks expressly excluded from assessment. Supply source stated to be unconfirmed. No dry year or drought scenario. Two of three Abstraction Licensing Strategies relied upon date from 2013.	**10**
ES Volume 1, Chapter 5: Agricultural Land and Soils 06.01.05	Agricultural Land Classification tables; soil restoration	Extent of best and most versatile land taken. Reversibility of soil effects after a 60 year operational period not demonstrated.	**6**
Policy Compliance Document 05.12	EN-1 rows 4.1.7, 4.4.4, 4.14.5-4.14.6, 5.11.12 and 5.11.34, 5.11.36-5.11.37, 5.14.8; EN-3 rows 2.10.21 and 2.10.57	Battery fire, human health and air quality scoped out of the ES, yet absence of identified risk to human health relied upon to claim the CNP presumption. BMV loss justified by commercial viability. No Travel Plan produced. Grey belt characterisation asserted. 60 year term against typical 40 year upper limit.	**6, 9, 10, 12**
ES Volume 3, Appendices 1.1 and 1.2: EIA Scoping Report and Scoping Opinion 06.03.01.01 / 06.03.01.02	Scoping out of fire, human health and air quality	Objection to the scoping out of the assessments on which the conclusion of no unacceptable risk to human health and public safety depends, and to whether the scoping request reflected the battery capacity now proposed.	**10**
Outline Battery Safety Management Plan 07.06	Paras 1.1.6, 1.3.3, 1.3.9, 3.1.18, 3.1.20, 4.3.1(2), 4.5.7, 5.1.4 to 5.1.7	Permits omission of its own control measures. Battery chemistry undetermined. Substation and transformer fire risk expressly excluded. Fire water limited to four hours with no committed replenishment. Testing, consequence modelling, HAZOP, FMEA, DSEAR and the Emergency Response Plan all deferred to post-consent.	**10**
ES Volume 3, Appendix 16.5: BESS Fire Emissions Modelling Technical Note 06.03.16.05	Worst-case fire locations and receptor distances	Closest distance from a worst-case fire location to the A63 recorded as 24 metres, against a debris impact radius of 30.5 metres in NFPA 855 as adopted by the Applicant. Debris and overpressure exclusion zone not addressed.	**10**
ES Volume 1, Chapter 10: Landscape and Visual 06.01.10	Residual significant effects; reliance on planting	Moderate adverse significant effects persisting up to fifteen years. Mitigation dependent on planting establishment and long-term management not secured.	**7**

Application document	Part objected to	Nature of objection	WR
Design Approach Document 05.05 and **Design Parameters and Commitments** 05.06	Design principles; Work No. 3 parameters	North Yorkshire Council states the siting of the substation and BESS does not comply with aspects of the Design Approach Document. Work No. 3 locates substations on Sites 1, 2 and 4, inconsistently with the Grid Connection Statement.	**7, 10**
Outline Environmental Masterplan 02.12	Site 1; Sites 2, 6, 7 and 8; Sites 3 and 4	Records 40 hectares of BMV land removed from Site 1 and a substation removed from Site 6, establishing that constraint-led removal is possible; the same approach was not applied to comparably constrained land retained. Shows Non-Breeding Bird Mitigation Area on Site 1.	**4, 6, 8**
ES Volume 1, Chapter 6: Biodiversity 06.01.06 and **Chapter 12:** Ornithology 06.01.12	Ancient woodland buffers; functionally linked land; survey coverage	Gilbertsons Wood and Gateforth Wood are irreplaceable habitats and an express exception to the CNP presumption. Functionally linked land assessment not shown to have been refined as requested by North Yorkshire Council.	**8**
Shadow Habitats Regulations Assessment 05.11	Screening of functionally linked land	Position reserved. Request for the European sites screened, survey effort by season and year, and Natural England's confirmation.	**8**
Biodiversity Net Gain Report 05.09	Headline figures of 78.30, 72.12 and 10.42 per cent	Gain not secured at the point of consent; reliance on assumed baseline condition; watercourse unit gain materially lower than headline figure.	**8**
ES Volume 1, Chapter 14: Traffic and Movement 06.01.14 and **Appendix 14.1:** Transport Assessment 06.03.14.01	Scope of road safety assessment; accident data; peak movement figures	Road safety assessed only on the public highway network. Accident analysis limited to police-reported STATS19 data. Concurrency of movements across seven sites and the cable corridor not demonstrated.	**9**
Outline Construction Traffic Management Plan 07.12	Reliance on banksman and management measures	Construction management measures relied upon in place of assessment of whether accesses are safe.	**9**
ES Volume 1, Chapter 11: Noise and Vibration 06.01.11	Tables 11-6, 11-7, 11-18 and 11-19; paras 11.5.43, 11.6.4, 11.7.4, 11.8.9 and 11.8.10	Baseline confined to a single fortnight in February 2025; thirteen survey locations and five continuous loggers for 62 receptors; design criterion requested twice by North Yorkshire Council declined; reliance on WHO criteria the Applicant concedes were derived for transport noise; assessment based on an indicative design.	**13**
Outline Operational Environmental Management Plan 07.03	Post-commissioning noise verification	Verification of the operational noise conclusion deferred until three months after operations begin.	**13, 16**
ES Volume 1, Chapter 17: Cumulative and In-Combination Effects 06.01.17	Range of schemes assessed; construction concurrency	Assessment not shown to cover all major development within 10 kilometres as sought by North Yorkshire Council, including Yorkshire GREEN and the Ferrybridge Next Generation gas pipeline crossing Site 4 and the Cable Route Corridor.	**14**
Planning Statement 05.02, including Appendix B (grey belt) and Table 7-3	Green Belt components; grey belt characterisation; planning balance	Grey belt characterisation asserted rather than evidenced; position of North Yorkshire Council not stated.	**12**
Draft Development Consent Order 03.01	Schedule 1 Work Numbers; Schedule 2 Requirements; compulsory acquisition articles	Mitigation relied upon in the ES is not secured by enforceable Requirement. Objection to the compulsory acquisition and temporary possession powers sought.	**15, 16**
Book of Reference and **Land and Rights Negotiations Tracker**	Extent of interests; status of negotiations	Cable Route Corridor secured only by heads of terms; unresolved and contested interests; no funding statement in respect of compensation liability.	**15**

WR = section of the enclosed Written Representation in which the objection is developed.

LIGHT VALLEY SOLAR

APPLICATION FOR A DEVELOPMENT CONSENT ORDER

PLANNING INSPECTORATE REFERENCE: EN0110012

WRITTEN REPRESENTATION SUBMITTED AT DEADLINE 1

Submitted by: Annette Exley
Interested Party Reference: [INSERT IP NUMBER]
Address: [redacted]
Date: 8 August 2026

1. INTRODUCTION AND SCOPE

1.1 I am a registered Interested Party in the Examination of the application by Light Valley Solar Limited (the Applicant) for a Development Consent Order in respect of Light Valley Solar (the Proposed Development). I submit this Written Representation in response to the Examining Authority's invitation to Interested Parties to submit Written Representations at Deadline 1.

1.2 I object to the grant of development consent.

1.3 This representation is made on planning and environmental grounds. It does not repeat matters of personal amenity. It is directed at the adequacy of the Environmental Statement, the adequacy of the site selection process, and whether the Applicant has discharged the burden of demonstrating that the adverse impacts of the Proposed Development do not outweigh its benefits for the purposes of section 104 of the Planning Act 2008.

1.4 Where I refer to figures drawn from the application documents, those figures reflect my reading of the submitted material. Where the Applicant considers any figure to be incorrectly stated, I invite the Applicant to correct it on the record, and I reserve the right to comment further at subsequent deadlines.

1.5 The Proposed Development comprises seven Solar Development Sites totalling approximately 900 hectares, within Order Limits of approximately 1,270 hectares, together with associated battery energy storage, on-site substations of up to 275kV on Sites 1, 2 and 4, and approximately 30 kilometres of underground cabling connecting to the National Grid substation at Monk Fryston. The Applicant's consultation material states that the Proposed Development is anticipated to operate over a period of 60 years. The scale of the Proposed Development, its duration, and the fact that it is distributed across seven separate parcels rather than occupying a single coherent site, are central to the objections set out below.

2. SUMMARY OF REPRESENTATION

2.1 My objection rests on thirteen grounds, together with one cross-cutting matter which affects all of them.

(a) The site selection process was constrained by the Applicant's own commercial parameters rather than by environmental suitability, and the assessment of reasonable alternatives does not satisfy the requirements of the Environmental Impact Assessment Regulations.

(b) The Proposed Development is not a single suitable site. It is a collection of individually constrained parcels assembled to satisfy a pre-existing 500MW grid connection. This is a failure of site selection and design, and it is the principal ground of my objection.

(c) The Proposed Development places infrastructure within Flood Zones 2 and 3 and does not demonstrate compliance with the Sequential Test.

(d) The Proposed Development results in the loss of a very substantial area of best and most versatile agricultural land, and the justification advanced for that loss is inadequate.

(e) Significant adverse landscape and visual effects are acknowledged by the Applicant and are not effectively mitigated. The host local planning authority has separately placed on the Examination record its view that these effects have been underestimated.

(f) The claimed biodiversity net gain is not secured at the point of consent and rests on incomplete survey data and outline documents.

(g) The suitability of the local highway network for the scale of construction traffic proposed has not been demonstrated, and the Applicant has confirmed that parts of the access network were not assessed for road safety at all.

(h) Fire risk at the three proposed substations is assessed in no submitted document; the A63 lies within the debris impact radius identified in the standard the Applicant has itself adopted; the source of firefighting water has been expressly excluded from the Water Resource Assessment; and the battery safety case, including the choice of battery chemistry, has not yet been produced.

(i) Battery fire, human health and air quality have each been scoped out of the Environmental Statement, yet the absence of any identified risk to human health is then relied upon to claim the benefit of the Critical National Priority presumption.

(j) Components of the Proposed Development lie within the Green Belt, and the contention that this is grey belt land has not been tested.

(k) The operational noise assessment rests on a single winter fortnight of survey data, and the Applicant has twice declined the design criterion requested by North Yorkshire Council, substituting absolute criteria which it concedes were derived for transport rather than industrial noise.

(l) The grid connection on which the entire scheme depends is evidenced only by a Bilateral Connection Agreement entered into in December 2021. No connection date is given, and the effect of the reformed connections process on that agreement is not addressed anywhere in the application.

(m) Cumulative effects have not been assessed against the range of schemes the host authority considers appropriate, including a consented transmission project terminating at the same substation and a gas pipeline crossing both Site 4 and the Cable Route Corridor.

(n) The tests for compulsory acquisition are not met on the material submitted, the Cable Route Corridor being secured only by heads of terms and the route itself not finally fixed.

2.2 The cross-cutting matter is the Applicant's systematic reliance on outline management documents to answer substantive concerns. This is addressed at Section 16.

3. GROUND 1: SITE SELECTION AND THE ASSESSMENT OF REASONABLE ALTERNATIVES

3.1 Schedule 4, paragraph 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires an Environmental Statement to include a description of the reasonable alternatives studied by the developer which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment.

3.2 On my reading of ES Volume 1, Chapter 3 (Alternatives and Design Iteration), the Applicant's site search was confined to a radius of approximately 25 kilometres, and the parameters governing that search were the

location of the secured grid connection and the land area required to deliver the contracted capacity.

3.3 That is not a search for the most environmentally suitable location. It is a search for land capable of accommodating a commercial commitment already entered into. The grid connection agreement was secured before the site search was undertaken, and it therefore operated as a fixed constraint rather than as one consideration among several.

3.4 The Applicant has said as much in terms. Its published project FAQ states that its initial site selection, and the reasons behind the development of the sites, came down to grid connection availability and suitable land. The same FAQ acknowledges that Site 1, near Escrick, is located some distance from the other sites and from the grid connection at Monk Fryston. The Applicant is therefore not in a position to argue that grid connection was one factor among many. On its own account it was the starting point.

3.5 The consequence is visible in the outcome. Rather than the search identifying land of lower environmental sensitivity, the sensitivity thresholds were progressively relaxed until sufficient land could be assembled. Land in Flood Zones 2 and 3 was included. Land of Grade 2 and Grade 3a agricultural quality was included. Parcels separated by many kilometres, requiring approximately 30 kilometres of connecting cable, were included.

3.6 I invite the Examining Authority to test the following matters with the Applicant:

(a) On what date was the 500MW grid connection agreement at Monk Fryston entered into, and on what date did the site search commence?

(b) What alternative grid connection points, or alternative connection capacities, were considered, and were any discounted on grounds other than commercial preference?

(c) What environmental criteria were applied at the outset of the search, and which of those criteria were subsequently relaxed, at what stage, and on whose instruction?

(d) Was any alternative considered which would have delivered a smaller scheme on a single, contiguous, lower-sensitivity site?

3.7 A site selection exercise in which the constraints are relaxed until the answer is reached does not constitute the study of reasonable alternatives. Where the alternatives assessment is deficient, the Environmental Statement does not comply with the EIA Regulations, and the Examining Authority cannot be satisfied that environmental information adequate for the purposes of the decision is before it.

4. GROUND 2: A COLLECTION OF CONSTRAINED PARCELS, NOT A SUITABLE SITE

4.1 This is the principal ground of my objection, and I ask the Examining Authority to consider it before the individual topic grounds which follow, because it explains them.

4.2 The Environmental Statement assesses each Solar Development Site individually and, in respect of each, concludes that effects are capable of mitigation. That approach obscures the character of what is actually proposed.

4.3 Each parcel carries its own constraint. Some carry flood risk. Some carry very high proportions of best and most versatile agricultural land. Some carry ecological sensitivity. Some carry highway access difficulties. Site 2 carries the 275kV substation and the battery compound immediately adjacent to a strategic road corridor.

4.4 A well-designed scheme responds to constraint by avoiding it. This scheme responds to constraint by accumulating it. Sites which would each be difficult to justify individually have been aggregated because, in combination, they deliver the land area required by the grid connection.

4.5 The Proposed Development as submitted comprises Sites 1 to 4 and Sites 6, 7 and 8. The Applicant's Water Resource Assessment confirms in terms that a previously proposed Solar Development Site 5 has been

excluded from the Proposed Development. I invite the Applicant to confirm on the record:

(a) the identity and location of Site 5;

(b) the reasons for its exclusion from the scheme; and

(c) whether flood risk, agricultural land quality or ecological sensitivity formed any part of those reasons.

4.5A The principle is established twice over. The Applicant's Outline Environmental Masterplan for Site 1 records that 40 hectares of best and most versatile agricultural land has been removed from the project. The Applicant has therefore demonstrated, in its own consultation material, that it is both possible and appropriate to remove best and most versatile land from a scheme where it chooses to do so.

4.6 This matters because it establishes the principle. If a parcel was removed because its constraints were judged unacceptable, then the Applicant has accepted that constraint-led deletion is both possible and appropriate. The question for the Examining Authority is then why that same principle was not applied to the parcels which remain, and in particular to land within Flood Zones 2 and 3 and to parcels comprising overwhelmingly Grade 2 and Grade 3a land.

4.7 The Applicant cannot both rely on the deletion of constrained land as evidence of a responsive design process and decline to apply the same test to comparably constrained land which has been retained. If the answer is that the remaining parcels were required in order to deliver the contracted capacity, that is an admission that capacity, and not environmental suitability, determined the composition of the scheme.

5. GROUND 3: FLOOD RISK AND THE SEQUENTIAL TEST

5.1 Elements of the Proposed Development are located within Flood Zones 2 and 3, including land within the floodplain of the River Ouse and, in the case of Site 4, land on the northern edge of the River Aire.

5.2 National policy requires that development be directed away from areas at highest risk of flooding, and that where development in a higher risk zone is proposed, it be demonstrated that there are no reasonably available sites in areas of lower flood risk. That is the substance of the Sequential Test as set out in the National Planning Policy Framework and reflected in the National Policy Statement for Energy Infrastructure, EN-1.

5.3 The Sequential Test is not satisfied by the observation that solar development is compatible with periodic inundation. The test asks whether the development could reasonably be located elsewhere. Given that the Applicant's own site search was confined to a 25 kilometre radius fixed by a commercial grid connection, the pool of sites against which the Sequential Test was applied was itself artificially narrow. A Sequential Test conducted within an arbitrarily constrained search area does not demonstrate that development has been directed away from flood risk. It demonstrates only that, within the area the Applicant chose to look, no better option was found.

5.4 I raise the following specific matters:

(a) The Flood Risk Assessment and Drainage Strategy should identify, for each Solar Development Site and for the cable route corridor, the area of land within each Flood Zone, expressed in hectares and as a percentage of that site.

(b) The substation and battery compound are permanent, high-value and operationally critical infrastructure. Their flood vulnerability classification, and the finished floor and platform levels proposed, should be stated explicitly and tested against climate change allowances for the full operational lifetime of the development, not for a shorter design horizon.

(c) The Grid Connection Statement records that a 275kV substation is proposed on Site 4, being the parcel on the northern edge of the River Aire, and that the high voltage cable would run approximately 4.9 kilometres from that substation to Monk Fryston. The flood risk implications of

siting a 275kV substation on that parcel should be addressed specifically and separately from the Site 2 infrastructure, and the flood vulnerability classification applied to it should be stated.

(d) The Sequential Test should be re-run and evidenced on the basis of a search area not artificially limited by the Applicant's existing grid connection agreement.

(e) The cumulative effect on flood conveyance and floodplain storage of installing pile-mounted arrays, access tracks, hardstandings and compounds across multiple parcels within the same catchment should be assessed as a whole, and not parcel by parcel.

5.5 I note that flood risk in this catchment is a matter on which the Environment Agency and North Yorkshire Council are better placed than I am to comment in technical detail, and I respectfully invite the Examining Authority to press both bodies for a clear position on whether the Sequential Test has been satisfied.

6. GROUND 4: LOSS OF BEST AND MOST VERSATILE AGRICULTURAL LAND

6.1 On my reading of the application documents, approximately 70 to 80 per cent of the land comprised in the Solar Development Sites is classified as Grade 2 or Grade 3a, and therefore falls within the definition of best and most versatile agricultural land. In the case of individual sites the proportion is higher still, with Site 2 in the region of 90 per cent and Site 3 in the region of 94 per cent.

6.2 National policy is clear in both the National Planning Policy Framework and in the National Policy Statement for Renewable Energy Infrastructure, EN-3, that poorer quality land should be used in preference to higher quality land, and that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality should be preferred to those of a higher quality.

6.3 The Applicant's position, as I understand it, is that the loss is acceptable because the development is time-limited, because soils will be managed under an Outline Soil Resource Management Plan, and because the land will be returned to agricultural use at decommissioning. I do not accept that this answers the policy.

6.4 First, the policy is a locational preference, not a mitigation requirement. It asks whether poorer land could have been used. It is not answered by explaining how good land will be looked after.

6.5 Second, the temporary character of the development is asserted rather than secured. The Applicant's own Statement of Community Consultation and published FAQ describe a development anticipated to operate over 60 years. Sixty years is not a temporary use of agricultural land. It is two full working generations of a farm business, and it exceeds by a considerable margin the period over which any meaningful assessment of national food security can sensibly be made. A decommissioning obligation falling due in the 2090s, to be discharged by a successor operator whose identity is presently unknown, is not a meaningful safeguard. The Applicant should be asked to confirm what financial provision, bond or security is proposed to guarantee full decommissioning and soil restoration, and how that provision is secured in the draft Development Consent Order rather than left to a management plan.

6.6 Third, the effect on soil structure of pile driving, cable trenching, compaction by construction traffic, and the cessation of arable cultivation for several decades is not reversible simply by removing the panels. The Applicant should be asked to state, with reference to published evidence, what change in Agricultural Land Classification grade is anticipated at the point of restoration.

6.7 Fourth, the Applicant's own justification is not a planning justification. The Policy Compliance Document states, in respect of both the EN-1 and the EN-3 agricultural land policies, that it was not possible to use only previously developed land due to the need to use land within a technically feasible and commercially viable proximity to the available grid. Commercial viability is not a criterion recognised by NPS EN-3, which requires that where the use of agricultural land is shown to be necessary, poorer quality land is preferred to higher quality land. The Applicant has answered a policy about land quality with a proposition about project

economics.

6.8 Fifth, the Applicant quantifies the loss as approximately 1 per cent of the likely best and most versatile land in Selby District and 0.09 per cent of that in North Yorkshire. Any loss can be made to appear negligible by choosing a sufficiently large denominator. The relevant question is not what proportion of the county is affected by this scheme alone, but what proportion is affected by this scheme together with the other solar and energy schemes presently proposed or consented in the same district. I invite the Examining Authority to require that figure.

6.9 Sixth, on duration, NPS EN-3 records that an upper limit of 40 years is typical for solar consents. The Applicant seeks 60 years and expressly acknowledges that this exceeds the typical design life of solar PV panels, proposing to manage the shortfall by replacing every panel across the scheme once during the operational period. The Examining Authority should consider whether a consent 50 per cent longer than the period identified as typical in national policy has been justified, and what the implications are for the characterisation of the agricultural land loss as temporary.

6.9A Seventh, the Applicant has shown that removal is possible. Its Outline Environmental Masterplan for Site 1 states that 40 hectares of best and most versatile land has been removed from the project. The Examining Authority is entitled to ask why that exercise was carried out at Site 1 and not at Sites 2 and 3, where the proportion of best and most versatile land is materially higher.

6.10 Eighth, and returning to Ground 1, the concentration of best and most versatile land within this scheme is a direct consequence of the constrained site search. The Vale of York contains substantial areas of lower grade land. The reason none of it forms part of this application is that it lies outside the radius within which the Applicant's grid connection could be economically served.

7. GROUND 5: LANDSCAPE AND VISUAL EFFECTS

7.1 The Applicant's own assessment acknowledges effects which are moderate adverse and significant in EIA terms, persisting for a period of up to fifteen years pending the establishment of proposed planting. I make three points.

7.2 First, an acknowledged significant adverse effect persisting for fifteen years is not a transitional matter. It is a substantial proportion of the operational life of the development, and it will be experienced by residents of Escrick, South Milford, Monk Fryston, Hambleton, Birkin, Chapel Haddlesey and Skipwith throughout that period.

7.3 Second, the mitigation relies on landscape planting which is proposed in outline. Its delivery depends on establishment success, on long-term management by parties not yet identified, and on the survival of hedgerow and tree planting through periods of drought and disease. Where mitigation is uncertain, the residual effect assessed in the Environmental Statement is correspondingly optimistic. The Examining Authority should be satisfied that planting is secured by way of enforceable requirement, with defined establishment periods, replacement obligations and monitoring, rather than by an Outline Landscape and Ecological Management Plan whose final content will be approved after consent.

7.4 Third, and most significantly, the host local planning authority has placed on the Examination record a clear statement that the landscape and visual effects of the principal built infrastructure have been underestimated. In its letter of 7 July 2026 responding to Procedural Deadline B, North Yorkshire Council identified the proposed 275kV substation and battery energy storage compound on Site 2 as a location warranting site inspection, and set out the following:

(a) the substation compound extends to a maximum of 3.5 hectares, with a maximum height of 13 metres to the top of the busbars, and a perimeter of 3 metre palisade fencing;

(b) the battery compound extends to a maximum of 10.5 hectares, comprising enclosures of up to 3.5 metres in height, together with a solid noise barrier of up to 5 metres in height understood to extend around the perimeter of the compound;

(c) the southern edges of both components are understood to lie within approximately 10 metres of the A63;

(d) the A63 forms an important approach to the historic centres of Selby and York, and the Council considers that the adverse effects of these components have been underestimated and would adversely affect visitors, tourists, potential investors and other users of that route;

(e) the Council does not consider that embedded mitigation has been sufficiently considered in the siting of the substation and battery compound; and

(f) the Council considers that the siting does not comply with some aspects of the Applicant's own Design Approach Document.

7.5 I adopt and support the Council's position. I draw particular attention to the final point. A statement by the host authority that the scheme departs from the Applicant's own stated design principles is a matter which goes beyond disagreement about the significance of an effect. It indicates that the infrastructure has been sited where it could be accommodated rather than where the Applicant's own design methodology indicated it should go, which is the same defect identified at Grounds 1 and 2 appearing at the level of detailed layout.

7.6 A fourteen hectare complex of industrial infrastructure, incorporating structures up to 13 metres high and a 5 metre solid acoustic barrier, sited within 10 metres of a strategic approach road, is not solar development in any ordinary sense. It is heavy electrical infrastructure, and it should be assessed as such.

8. GROUND 6: BIODIVERSITY NET GAIN

8.1 The Applicant claims a biodiversity net gain in the region of 78 per cent. I do not dispute that such a figure can be generated by the statutory metric. I dispute that it represents a secured outcome.

8.2 The claimed gain depends upon habitat creation which has not yet occurred, on management arrangements set out in outline form, and on baseline survey data which I understand to be incomplete in respect of some parcels and some species groups.

8.3 A biodiversity metric is a projection. It converts assumptions about future habitat condition into a present-day number. Where the assumptions concern grassland and hedgerow habitats which must be created, established and then maintained in a specified condition for thirty years by operators not yet identified, the number expresses an intention rather than a benefit.

8.4 I invite the Examining Authority to require the Applicant to:

(a) identify every instance in which the metric has been completed on the basis of assumed rather than surveyed baseline condition, and state the effect on the headline figure of substituting surveyed data;

(b) confirm whether any errors have been identified in the completed metric since submission, and if so, provide a corrected metric and a revised headline figure;

(c) demonstrate how the claimed gain is secured by enforceable requirement in the Development Consent Order, including the mechanism by which a failure to achieve the target condition at year 30 would be remedied and by whom; and

(d) confirm the position in respect of any habitat creation proposed on land outside the Applicant's freehold ownership or long leasehold control.

8.4A Two further matters arise from the Applicant's Outline Environmental Masterplans which, in my submission, require examination beyond the biodiversity metric.

8.4B First, the masterplans identify Gilbertsons Wood Ancient Woodland adjoining Solar Development Site 1 and Gateforth Wood Ancient Woodland adjoining Solar Development Site 4. Ancient woodland is an irreplaceable habitat. NPS EN-1 provides that the Critical National Priority presumption does not apply to residual impacts presenting an unacceptable risk to, or unacceptable interference with, irreplaceable habitats. The Applicant relies on a minimum 10 metre buffer from woodland and 15 metres from ancient woodland. The Examining Authority should satisfy itself that those buffers are secured by Requirement, that they are adequate having regard to Natural England's standing advice on root protection and hydrological effects, and that no part of the Order Limits, including access, cabling or construction working areas, encroaches upon them.

8.4C Second, the masterplan for Site 1 shows a Non-Breeding Bird Mitigation Area, together with proposed scrapes, and records a commitment to create it. The provision of dedicated mitigation for non-breeding, and therefore overwintering, birds indicates that the land in question supports such populations. North Yorkshire Council, in its response to the Preliminary Environmental Information Report, emphasised the importance of completing baseline surveys, refining the functionally linked land assessment, and ensuring robust cumulative and operational impact evaluations in both the Environmental Statement and the Habitats Regulations Assessment.

8.4D Functionally linked land supporting a European site is a matter for the Conservation of Habitats and Species Regulations 2017, not for the planning balance. NPS EN-1 makes the Critical National Priority presumption subject to legal requirements, and the Habitats Regulations are such a requirement. I invite the Examining Authority to require the Applicant to state which European sites were screened in respect of functionally linked land; what survey effort was undertaken across which seasons and years; whether Natural England has confirmed it is content with the functionally linked land assessment; and whether North Yorkshire Council's request that the assessment be refined has been met. I reserve my position on this ground pending sight of the shadow Habitats Regulations Assessment and the ornithology chapter.

8.5 Until those matters are addressed, the biodiversity net gain figure should carry limited weight in the planning balance, and should not be permitted to offset the acknowledged harms identified elsewhere in this representation.

9. GROUND 7: TRANSPORT AND HIGHWAY CAPACITY

9.1 On my reading of the Transport Assessment, the Proposed Development generates up to approximately 322 heavy goods vehicle movements per day and in the order of 1,100 total vehicle movements per day at peak construction.

9.2 The road network serving these sites is rural in character. It comprises lanes and secondary routes which are in places narrow, unlit, without footways, and bounded by hedgerow and ditch. The proposition that this network can absorb traffic of the volume proposed requires demonstration, and in my submission it has not been demonstrated.

9.3 I draw the Examining Authority's attention to two admissions made by the Applicant in its Response to Relevant Representations (Part 2) Additional Supplementary Submission, dated July 2026.

9.4 First, in responding to concerns about the Field House Farm access, the Applicant states that the Transport Assessment assesses road safety only on the public highway network, and relies for everything else on the Outline Construction Traffic Management Plan and the deployment of a banksman. The access routes to the cable route corridor have therefore not been subject to road safety assessment. Given that the cable route corridor extends to approximately 30 kilometres and requires numerous access points, this is a material gap in

the assessment rather than a detail. A banksman is a construction management measure. It is not a substitute for an assessment of whether an access is safe.

9.5 Second, in responding to a resident's account of accidents on Skipwith Road, the Applicant confirms that its accident analysis is drawn solely from police-reported STATS19 records, and that incidents and near misses not reported to the police cannot be included. That is a correct statement of the data source, but it is not a complete answer. Where local residents provide consistent evidence of collisions and near misses which do not appear in STATS19, the appropriate response is to treat the recorded data as a known underestimate and to assess sensitively on that basis, not to exclude the local evidence because of the limitations of the national dataset.

9.5A There is also a straightforward non-compliance. NPS EN-1 provides that the applicant should prepare a travel plan adopting a vision-led approach to identify demand management, monitoring and fall-back measures. The Applicant's Policy Compliance Document states plainly that a Travel Plan has not been developed for the Proposed Development, and relies instead on the Outline Construction Traffic Management Plan. The reason given is that the rural character of the area and early shift patterns mean most construction workers will use a vehicle. That is a description of the problem the policy exists to address, not a reason for not addressing it.

9.6 I invite the Examining Authority to require the Applicant to:

(a) provide a road safety assessment of every access to the cable route corridor and to each Solar Development Site, whether or not that access is on the adopted public highway;

(b) identify every section of the construction routes which falls below the relevant design standard for two-way heavy goods vehicle movement, and state what physical works are proposed, where, and how they are secured; and

(c) set out the assumed programme overlap between the seven Solar Development Sites and the cable route corridor, and confirm whether the daily movement figures presented represent the sum of concurrent activity across all workfronts or the peak of any single workfront.

9.7 Point (c) is important. If the stated figures represent individual sites rather than the scheme operating concurrently, the true peak burden on the network is materially understated.

10. GROUND 8: BATTERY ENERGY STORAGE AND SUBSTATION FIRE SAFETY

10.1 I begin by acknowledging that the Outline Battery Safety Management Plan (oBSMP) is a substantial and detailed document. It cites NFPA 855 (2026), UL 9540A testing, mandatory Large Scale Fire Testing, combustible concentration reduction to NFPA 69, deflagration venting to NFPA 68, dedicated fire water storage, self-actuating drainage isolation and a plume dispersion assessment. My objection is not that the Applicant has ignored battery safety. It is directed at five specific matters which, in my submission, the Examining Authority cannot resolve on the material presently before it.

Fire risk at the substations is assessed nowhere

10.2 The oBSMP states that because technologies such as transformers, conversion units and switchgear have been deployed over a long period and their risks are better understood and regulated through longstanding industry guidance and codes, only the battery component of the BESS is addressed in that report.

10.3 Separately, the Applicant's Policy Compliance Document records, under the heading of hazardous substances, that no significant effects associated with battery fires or other electrical fires are considered likely and that further assessment of the risk and effects of fires is scoped out of the Environmental Statement.

10.4 The combined effect is that fire risk at the proposed substations is assessed in neither document. I note that the number and location of those substations is itself inconsistently reported. The Grid Connection Statement refers to 275kV substations on Site 2 and Site 4 only. The Design Parameters and Commitments Document lists Work No. 3, being an up to 275kV substation with associated transformer bays, feeder bays, transformers, switchgear buildings and ancillary equipment, as located in Solar Development Sites 1, 2 and 4. The Applicant's own Outline Environmental Masterplan for Sites 2, 6, 7 and 8 states that proposals for a substation have been removed from Site 6, leaving Sites 1, 2 and 4 with proposed substations, and the masterplan for Site 1 shows a substation and records that it has been sited away from properties and Skipwith Road. There are therefore three substations, and the document whose statutory purpose is to describe the grid connection addresses only two of them. It is excluded from the Environmental Statement by scoping and excluded from the Battery Safety Management Plan by definition.

10.5 That is not a technicality. A 275kV substation compound of up to 3.5 hectares contains super grid transformers holding very substantial volumes of mineral insulating oil. Transformer fires are long-duration events producing dense smoke and large volumes of contaminated firefighting water. The Site 4 substation is proposed on the parcel at the northern edge of the River Aire. The Site 2 substation is proposed, on the host authority's own account, within approximately 10 metres of the A63.

10.6 I invite the Examining Authority to require the Applicant to state what oil inventory is proposed at each substation, what bunding and containment capacity is provided, and in which submitted document the fire and pollution risk arising from that inventory has been assessed. If the answer is that it has not been assessed, that gap should be closed within this Examination and not after consent.

The A63 lies within the Applicant's own debris impact radius

10.7 The oBSMP records that NFPA 855 (2026) defines the potential debris impact radius as 100 feet, or 30.5 metres, describing this as a typical explosion risk safe exclusion zone radius, and defines the automatic evacuation area as 200 feet, or 61 metres, from the affected enclosure.

10.8 The same document records that the closest distance from a worst-case BESS fire location to the A63 is 24 metres. The closest residential receptor is recorded at 331 metres and the closest public right of way at 774 metres.

10.9 A strategic road therefore lies approximately 6 metres inside the debris impact radius identified in the standard the Applicant has itself adopted, and well within the evacuation distance. The A63 is not a field. It carries traffic towards Selby and York and, in the event of an incident, would carry emergency vehicles.

10.10 The oBSMP addresses the A63 only in respect of smoke visibility, concluding that a plume impacting road visibility is a low probability occurrence because prevailing winds direct smoke away, and that stopping distances are unlikely to be affected. It does not address the debris and overpressure exclusion zone at all. Reliance on prevailing wind direction is not mitigation; prevailing winds are a statistical tendency, not a control measure.

10.11 I invite the Examining Authority to require the Applicant to reconcile the 24 metre figure with the 30.5 metre debris impact radius, to state whether any part of the A63 falls within either the debris or evacuation distances from any proposed enclosure position, and if so what protocol is proposed for closing a strategic road, on whose authority, and within what timescale.

The plan permits its own control measures to be omitted

10.12 Paragraph 1.1.6 of the oBSMP provides that nothing within it would prevent the modification or omission of the control measures set out in the Environmental Statement, and that this will be confirmed at the time of submission of the detailed Battery Safety Management Plan, including confirmation that the absence of or change to such control measures would not lead to any materially new or materially different effects than

those reported in the Environmental Statement.

10.13 A safety document which expressly contemplates the omission of its own control measures, on the basis of a confirmation given by the party proposing the omission, does not secure those measures. The Examining Authority should consider whether the Requirement in Schedule 2 of the draft Development Consent Order can properly be said to secure the oBSMP when the oBSMP itself provides for its contents to be departed from.

The safety case does not yet exist

10.14 The following analyses are all stated in the oBSMP to be matters for the detailed design stage, after consent: Large Scale Fire Testing of the selected system; site-specific consequence modelling; Hazard Mitigation Analysis; Failure Modes and Effects Analysis or Layer of Protection Analysis; HAZOP; HAZID; Fire Risk Analysis; Explosion Risk Analysis; the DSEAR assessment; a system and site-specific Plume Analysis study; the Emergency Response Plan; and the Risk Management Plan.

10.15 The battery chemistry itself is undetermined. The oBSMP states that the BESS design and system chemistry type is still to be determined and will be confirmed as part of detailed design prior to commencement of construction, and that the assessment proceeds on a concept design using lithium iron phosphate. It further provides that if the system supplied differs from the specification used for the risk assessments and consequence modelling, a full safety audit will be repeated for the new specification.

10.16 The Examining Authority is therefore asked to conclude that risk is acceptable in circumstances where the technology has not been chosen, the testing has not been done, the consequence modelling has not been carried out, and the emergency response plan has not been written. The safety case is not before the Examination. What is before the Examination is an undertaking that a safety case will be produced later.

10.17 I note in this connection that the oBSMP repeatedly relies on review by an independent Fire Protection Engineer specialising in BESS. That is a sensible provision, but the engineer would be appointed by the Applicant, would report to the Applicant, and would carry out the review after consent had been granted. Independence from the Applicant is not the same as independence from the process. The review would take place at a stage where the principle of the development could no longer be revisited whatever the review concluded.

Fire water provision is limited to four hours

10.18 The oBSMP commits to a minimum of two firefighting water storage units of no less than 230,000 litres capacity, capable of delivering 1900 litres per minute for four hours, which it states exceeds NFCC guidance. Containment is sized accordingly: the indicative design integrates a total allowance of four hours of boundary cooling water usage as containment storage.

10.19 Four hours is the entire provision. Documented grid-scale battery incidents in the United Kingdom and internationally have persisted for periods measured in days rather than hours, with reignition a recognised risk; the oBSMP acknowledges as much in providing for a post-incident fire watch and a recovery plan addressing reignition.

10.20 The plan's answer to what happens after four hours is that the water supply for suppression systems and firefighting will be replenished as quickly as feasible. No replenishment rate is committed. No source is identified. No assessment is provided of whether a rural water network in this location could sustain 1900 litres per minute, nor of the containment capacity available for water introduced after the initial four-hour allowance has been exhausted.

10.21 I invite the Examining Authority to require the Applicant to state the assumed maximum duration of a credible worst-case incident; the water volume required to sustain boundary cooling for that duration; the identified replenishment source and its committed flow rate; and the containment capacity available for the

full duration rather than the first four hours. The containment sizing should also be tested against the possibility, expressly acknowledged in the Applicant's drainage documentation, that a fire may coincide with a rainfall event.

Consultation with the fire service

10.22 The position is worse than a simple absence of committed replenishment. The Applicant's Water Resource Assessment is the only submitted document which assesses where water for this development would come from. At paragraph 3.1.8 it states that the water required to fill the external firefighting water storage tanks has been excluded from that report, on the basis that the demand is not on a per day or per year basis during operation. Annex B repeats the exclusion.

10.23 The consequence is that the fire water on which the entire battery safety case depends has been assessed for volume in the oBSMP but has been excluded from the only assessment of supply. No document before the Examination identifies where that water is to come from.

10.24 The Water Resource Assessment further states, at paragraph 4.6.2, that at this stage the water supply source for the Proposed Development is not confirmed. Yorkshire Water has confirmed that it can supply the estimated peak construction and operational demand, but those estimates are 195 cubic metres per day for construction and 34 cubic metres per day for operation, and neither figure includes any allowance for firefighting.

10.25 The arithmetic should be set before the Examining Authority plainly. Two tanks of 230,000 litres amount to 460 cubic metres. Filling them once therefore requires more than twice the assessed peak construction demand for the entire development and more than thirteen times the assessed peak operational demand. Sustaining the committed delivery rate of 1900 litres per minute equates to approximately 114 cubic metres per hour, or some 2,736 cubic metres over a 24-hour period. That is of the order of eighty times the peak daily operational water demand around which the water supply for this development has been planned.

10.26 Nor is abstraction readily available as a fallback. The Water Resource Assessment records that the Aire and Calder Sherwood Sandstone Groundwater Management Unit, which underlies most of Solar Development Site 4, is classified as water not available and that no new licences will be granted; and that around Selby groundwater is likewise classified as not available. Only licence trading is available, and the Applicant states that recent abstraction volumes are unknown, so it is not currently possible to estimate how much demand could be met from that route. Surface water abstraction would be subject to hands-off flow conditions requiring abstraction to cease when river flows fall below a threshold, which is to say that abstraction would be least available in precisely the hot dry conditions in which fire risk is highest.

10.27 The remaining option is tankering, which the Water Resource Assessment assumes as the base case for distribution across the site and which its own summary table describes as not sustainable for long-term operational use. Fire water replenishment would therefore depend on repeated tanker deliveries over the same rural road network which, as set out at Ground 7 above, has not been assessed for road safety along all of the access routes serving the development.

10.28 There is a further dimension which the Water Resource Assessment does not address at all. That document contains no dry year scenario, no drought scenario, and no reference to the drought plan of the relevant water undertaker. It assesses feasibility of supply under ordinary conditions only.

10.29 I do not suggest that Yorkshire is presently in drought. As at the date of this representation I understand Yorkshire Water to have confirmed that no restrictions are in force and that reservoir levels are healthier than at the same point last year. The point is not about present conditions. It is about a consent sought for sixty years of operation in a region which has imposed temporary use bans on its customers in 2022 and again in July 2025, and where the National Drought Group has advised all sectors, energy included, to build resilience against extended drought.

10.30 Two features of the Applicant's own assessment make this material rather than speculative.

10.31 First, the Water Resource Assessment records that any new surface water abstraction licence would be likely to carry hands-off flow conditions requiring abstraction to cease when river flows fall below a specified threshold. Fire risk at a battery installation is at its highest in prolonged hot, dry conditions. The single circumstance in which surface water abstraction becomes unavailable is therefore the same circumstance in which the demand for firefighting water is most likely to arise. That is not a coincidence to be managed at detailed design; it is a structural feature of the supply strategy.

10.32 Second, the currency of the underlying data is questionable. The Water Resource Assessment relies on three Environment Agency Abstraction Licensing Strategies. It records that the Aire and Calder strategy was updated in 2025, but that both the Wharfe and Lower Ouse strategy and the Hull and East Riding strategy were last updated in 2013. Water availability across Solar Development Sites 1, 2, 6, 7 and 8 is therefore assessed against strategies which are thirteen years old and which predate both of the temporary use bans imposed in this region since.

10.33 I invite the Examining Authority to require the Applicant to state, in addition to the matters at paragraph 10.21 above, in which document the source of firefighting water is assessed; what the committed replenishment source and flow rate are; whether Yorkshire Water has been asked to confirm capacity for firefighting demand as distinct from the operational demand it has already addressed; and what the position would be during a drought or hands-off flow period.

10.34 The consultation recorded in the oBSMP with North Yorkshire Fire and Rescue Service comprises an online meeting on 27 February 2025, the sharing of materials on 27 and 28 February 2025, a further online meeting on 19 January 2026, and subsequent emails. No written position from NYFRS is reproduced, and no Statement of Common Ground is provided.

10.35 Given that the entire firefighting strategy rests on NYFRS adopting a defensive posture limited to boundary cooling, and that the oBSMP states a BESS design requiring direct firefighting engagement will not be selected, the Examining Authority should establish NYFRS's own position on the record rather than rely on the Applicant's account of it.

What I ask the Examining Authority to do

10.36 This ground is not capable of resolution by written submissions alone. I respectfully request that the Examining Authority:

(a) hold an Issue Specific Hearing on fire safety and the water environment, covering the BESS Compound and all three substations, with North Yorkshire Fire and Rescue Service, the Environment Agency, the Health and Safety Executive and North Yorkshire Council invited to attend;

(b) require a Statement of Common Ground between the Applicant and North Yorkshire Fire and Rescue Service, identifying expressly any matters not agreed;

(c) consider commissioning, or requiring the Applicant to fund, an independent review of the battery and substation safety case by a suitably qualified fire protection engineer reporting to the Examining Authority rather than to the Applicant, so that the review informs the recommendation rather than following it;

(d) require that the Environmental Statement be supplemented to address fire risk at the 275kV substations, that matter being presently assessed in no submitted document;

(e) require the Applicant to identify and secure a firefighting water supply and replenishment source, that matter having been expressly excluded from the Water Resource Assessment, and to demonstrate that the supply remains available under dry year and drought conditions and under any hands-off

flow condition attaching to an abstraction licence; and

(f) satisfy itself, before recommending consent, that the matters identified above are secured by numerical and enforceable Requirements in the Development Consent Order rather than deferred to a detailed Battery Safety Management Plan whose contents the outline plan already permits to be departed from.

10.37 I recognise that national policy affords substantial weight to the need for this infrastructure. I would observe only that NPS EN-1 makes the Critical National Priority presumption inapplicable to residual impacts presenting an unacceptable risk to, or unacceptable interference with, human health and public safety. Whether such a risk exists here cannot be determined until the assessments listed at paragraph 10.14 have been carried out. They should be carried out before consent, not after it.

11. GROUND 9: THE GRID CONNECTION

11.1 The grid connection is the foundation of this application. It determined the search area, it determined the required land take, and it is the reason advanced for the assembly of seven dispersed parcels. If the connection is not secure, nothing built upon it is secure either.

11.2 The Grid Connection Statement records that the Applicant applied to the National Energy System Operator in February 2021, received a connection offer in July 2021 under reference A/IGP18/21/2503/1-EN(0), and entered into a Bilateral Connection Agreement in December 2021 providing for a Transmission Entry Capacity of 500 MW export and 500 MW import at the existing Monk Fryston 275kV substation.

11.3 The Grid Connection Statement does not state the date on which the connection is contracted to be delivered. I have read the document in full and can find no connection date within it. If I am mistaken, I invite the Applicant to identify the paragraph.

11.4 That omission is material. The Grid Connection Statement itself quotes paragraph 4.11.2 of NPS EN-1, to the effect that it is for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned network to accommodate the electricity generated, and paragraph 4.11.12, to the effect that the Secretary of State should be satisfied that appropriate network connection arrangements are or will be in place. The Applicant has set out the test it must satisfy and has then not provided the information by which the Secretary of State could apply it.

11.5 The second and more serious difficulty concerns connections reform. The Bilateral Connection Agreement relied upon was entered into in December 2021, under the connections regime which has since been replaced. Under the reformed process, existing agreements across the whole queue have been reassessed against readiness and strategic alignment criteria. In December 2025 the National Energy System Operator announced the outcome, under which successful projects were allocated to Gate 2 Phase 1 for connection by 2030 or to Gate 2 Phase 2 for connection by 2035, and unsuccessful projects were offered Gate 1 agreements, which do not carry a confirmed connection date or queue position.

11.6 The Grid Connection Statement is dated February 2026. Its policy references record an access date of 2 January 2026. It was therefore prepared and finalised after the reformed queue outcome was announced. It nonetheless contains no reference to connections reform, to the Gate 2 to Whole Queue process, to which Gate or Phase this project has been allocated, or to whether the December 2021 agreement survives, has been varied, or is to be replaced.

11.7 I invite the Examining Authority to require the Applicant to state on the record:

(a) the connection date contracted under the December 2021 Bilateral Connection Agreement;

(b) whether that agreement remains in force in its original terms as at the date of the Applicant's response;

(c) whether the Proposed Development has been allocated to Gate 2 Phase 1, Gate 2 Phase 2, or Gate 1 under the reformed process;

(d) if a Gate 2 offer has been received, the connection date it specifies and whether it has been countersigned;

(e) if the position is not yet resolved, the date by which the Applicant expects it to be resolved, and whether that date falls before the close of this Examination; and

(f) what the consequences for the Proposed Development would be if the connection were allocated to Gate 1, or if the connection date were to fall materially later than assumed in the application.

11.8 The physical position at Monk Fryston reinforces the point. National Grid Electricity Transmission is presently constructing an entirely new 400/275kV substation adjacent to the existing Monk Fryston substation under the Yorkshire Green Energy Enablement Project, consented by development consent order in 2024. National Grid's published explanation for that work is that the existing substation would otherwise be unable to accommodate the additional energy flowing from the uprated overhead lines. Construction at Monk Fryston is ongoing through 2026, with the new transmission infrastructure expected to begin entering service in 2027 and construction, dismantling and reinstatement due to be completed in 2028.

11.9 The Applicant proposes to connect into a spare bay at the existing Monk Fryston 275kV substation. I invite the Examining Authority to establish:

(a) whether the spare bay relied upon remains available and unallocated;

(b) whether the Proposed Development's connection is dependent, in whole or in part, on completion of the Yorkshire Green Energy Enablement Project, and if so what the consequences would be of any delay to that project; and

(c) whether National Grid Electricity Transmission is content to confirm the above, and whether a Statement of Common Ground with National Grid Electricity Transmission will be provided within this Examination.

11.10 I note further that National Grid's own need case material for the Yorkshire Green project recorded that uprating the existing 275kV Poppleton to Monk Fryston overhead line to 400kV would provide additional capacity, but that this was not required to meet that project's need case, although it could be considered if additional customers were looking to connect. That indicates that capacity on this part of the network is closely matched to identified need rather than abundant, and it raises a question, properly for the Applicant and National Grid Electricity Transmission to answer, as to what reinforcement beyond Yorkshire Green is required to accommodate a further 500 MW at this point, who would deliver it, when, and at whose cost.

11.11 There is a further matter arising from the Grid Connection Statement which affects the assessment more widely. The Statement records that 275kV substations are proposed on both Site 2 and Site 4, that the high voltage cable would run approximately 4.9 kilometres from the Site 4 substation to Monk Fryston, and that the cable may extend a further 3 kilometres to the Site 2 substation should that be determined to be the most efficient design. The principal electrical configuration of the scheme is therefore not fixed. Two alternative arrangements remain open, and which is adopted will be determined after consent.

11.12 That has consequences for the environmental assessment. Where the location and role of the primary substation is undetermined, the assessment of landscape, noise, flood risk and land take at each of Sites 2 and 4 must necessarily proceed on assumptions. The Examining Authority should satisfy itself that the Environmental Statement has assessed the realistic worst case for both configurations, at both sites, and not the more favourable of the two. I note in this connection that North Yorkshire Council's submission of 7 July 2026 addressed the substation and battery infrastructure on Site 2. The implications of a 275kV substation on Site 4, on the northern edge of the River Aire, appear to have received considerably less scrutiny.

12. GROUND 10: GREEN BELT AND GREY BELT

12.1 The Applicant's Policy Compliance Document confirms that components of the Proposed Development are located within the Green Belt, and identifies Table 7-3 of the Planning Statement as setting out which components those are.

12.2 The Applicant does not seek to justify inappropriate development in the Green Belt by reference to very special circumstances. Instead it relies on the grey belt reclassification introduced in December 2024, contending in Appendix B of its Planning Statement that the land in question is grey belt and that the development is therefore not inappropriate within the Green Belt.

12.3 That is a significant contention and it should be tested rather than assumed. Grey belt is a defined category. Land does not become grey belt because a developer asserts it, and the assessment must be made against the statutory and policy definition, having regard to the contribution the land makes to the purposes of Green Belt designation.

12.4 I invite the Examining Authority to require the Applicant to set out, for each parcel of Green Belt land within the Order Limits:

(a) the area concerned and which Work Numbers fall within it;

(b) the assessment carried out against each of the purposes of including land within the Green Belt, and the conclusion reached on each;

(c) whether North Yorkshire Council, as the local planning authority responsible for Green Belt policy in this area, accepts the grey belt characterisation; and

(d) in the event that the grey belt characterisation is not accepted, the very special circumstances relied upon, and how the substantial weight which national policy requires to be given to Green Belt harm has been applied in the planning balance.

12.5 I note that if any part of the Green Belt land in question carries infrastructure of the scale described by North Yorkshire Council in relation to Site 2, being a substation compound of up to 3.5 hectares with structures to 13 metres and a battery compound of up to 10.5 hectares with a 5 metre acoustic barrier, the characterisation of that development as not inappropriate would require careful scrutiny.

13. GROUND 11: NOISE

13.1 I do not criticise the selection of assessment receptors. ES Volume 1 Chapter 11 identifies 62 assessment locations across the Solar Development Sites and the Cable Route Corridor, and the locations were discussed with North Yorkshire Council. My objection concerns the baseline against which those receptors have been assessed, and the criteria applied to them.

Seasonal coverage of the baseline survey

13.2 The environmental sound survey comprised attended measurements on 5, 6, 7, 13 and 14 February 2025, and unattended measurements between 5 and 14 February 2025. The entire baseline for this scheme therefore rests on a single fortnight in winter.

13.3 That is a material limitation for this particular development. The battery compound is cooled by heating, ventilation and cooling plant whose duty, and therefore whose sound power output, rises with ambient temperature. The plant will be working hardest in summer. Summer is also when windows are open, when gardens and outdoor amenity space are in use, and when residents are most exposed to external sound. The baseline has not been measured in the season in which the source is loudest and the receptors are most sensitive.

13.4 I invite the Examining Authority to require the Applicant to state the assumed sound power output of the battery cooling plant at summer design temperatures as against the figures used in the model, and to explain why no summer baseline survey was undertaken.

Extent of the baseline survey

13.5 The environmental sound survey was carried out at 13 locations. Of those, only five were unattended continuous logger positions capable of characterising the night-time sound environment; the remainder were attended spot measurements taken during the daytime. Those 13 locations support an assessment at 62 receptors, on the stated assumption that baseline sound levels at the measurement locations are comparable to other nearby receptors.

13.6 I accept that surveying every receptor individually would not be proportionate. I do not accept that five continuous logger positions across approximately 1,022 hectares and seven separate parcels provides an adequate characterisation of night-time background sound, particularly given the variation actually recorded between the logger positions.

The measured background is exceptionally low

13.7 The recorded night-time background sound levels are among the lowest encountered in lowland England. The chapter records typical night-time LA90 values of 22 dB near Mount Pleasant Farm at Solar Development Site 1, 25 dB on Pighill Nook Road at Site 4, 25 dB on Philip Lane at Site 8, 30 dB on Common Lane at Site 6 and 31 dB on Fryston Common Lane at Site 2.

13.8 Under BS 4142, a rating level exceeding the background sound level by around 5 dB is an indication of an adverse impact, and by around 10 dB or more an indication of a significant adverse impact. Against a background of 22 dB, a rating level of 32 dB would fall into the latter category. Transformers at the 275kV substations and the battery cooling plant operate continuously through the night.

The Applicant has declined the Council's requested design criterion

13.9 This is the central point on this ground, and it is a matter on which the host authority and the Applicant are in recorded disagreement.

13.10 North Yorkshire Council recommended that the Applicant commit to a design criterion under which operational noise emissions would not exceed the representative background sound level at the nearest residential receptors, describing this as aligning with BS 4142 and providing a clear and enforceable benchmark for low impact.

13.11 The Applicant did not adopt that criterion. Its response was that operational emissions aim not to exceed the typical measured background levels, but that in determining likely significant effects absolute noise levels have also been considered, with reference to the World Health Organization guidelines and BS 8233.

13.12 The Council repeated its recommendation. Its further correspondence records that it continued to recommend a clear design criterion whereby operational noise does not exceed background levels at the nearest residential receptors; that the margin above background remains a key indicator of potential adverse effect, particularly at night when sensitivity is heightened; and that the use of absolute noise levels as a contextual consideration should not override the importance of maintaining a low rating level relative to background sound.

13.13 The Applicant did not adopt the criterion on the second request either.

13.14 The significance of that substitution is best understood arithmetically. Where the background is 22 dB, a criterion expressed as a margin above background is highly demanding. A criterion expressed as an absolute level of 45 dB is not demanding at all; it would permit a rating level 23 dB above the measured background while still recording no significant effect. The choice between the two determines the outcome of the

assessment.

13.15 The Applicant's own chapter concedes the weakness of the yardstick it has chosen. It records that the WHO guidelines relied upon are primarily based on research into transportation noise sources and may therefore have limited direct applicability to industrial noise. Having identified that the criterion is not well suited to the source being assessed, the Applicant applies it regardless, and in preference to the criterion the Council asked for.

13.16 I note that at the preliminary stage, exceedances of between 5 and 10 dB above background were predicted at some receptors. Under BS 4142 that range runs from an indication of adverse impact towards an indication of significant adverse impact. Those predictions were reconciled with a finding of no significant effect by reference to absolute levels rather than by reducing the emissions.

The conclusion depends on mitigation and a design that is not fixed

13.17 The finding of no significant operational effect is not a finding about the development as it would be built without mitigation. It is contingent on embedded mitigation which includes the implementation of noise barriers of up to 5 metres around and within the battery compound, plant orientation, silencers on conversion units and, where appropriate, reduced operational load of plant.

13.18 Two consequences follow. First, a 5 metre solid acoustic barrier around a

10.5 hectare compound is itself a substantial structure, and North Yorkshire Council has separately identified it on the Examination record as contributing to landscape and visual harm which it considers has been underestimated. The noise conclusion and the landscape conclusion are therefore in tension: the mitigation which delivers the former aggravates the latter.

13.19 Second, the assessment is expressly based on an indicative design. The chapter records that the design is expected to continue evolving, that changes may occur to conversion unit locations, to the layout of the battery compound and to plant selection, and that any changes will ensure that operational noise impacts do not lead to significant effects. That is an assurance, not an assessment. The verification exercise the Applicant offers would be undertaken three months after operations begin. The Examining Authority is therefore asked to accept a conclusion which will not be tested until after the development has been built and is running.

13.20 I invite the Examining Authority to:

(a) require the Applicant to adopt, or to explain its refusal to adopt, the design criterion twice requested by North Yorkshire Council, namely that operational rating levels shall not exceed the representative background sound level at the nearest residential receptors;

(b) require that any operational noise limit ultimately adopted is secured as a numerical limit in a Requirement of the Development Consent Order, expressed at identified receptors for day and night separately, rather than left to an Outline Operational Environmental Management Plan;

(c) require the Applicant to confirm whether an assessment of low frequency noise has been undertaken in respect of the 275kV transformers, given that NPS EN-5 itself records that substation equipment may generate low frequency hum, and if not, to explain why the guidance identified in the chapter for that purpose was not applied;

(d) require a summer baseline survey, or an explanation of why winter data alone is adequate for plant whose output rises with ambient temperature; and

(e) obtain North Yorkshire Council's position, as Environmental Health Authority, on whether it is content with the assessment as submitted.

14. GROUND 12: CUMULATIVE AND IN-COMBINATION EFFECTS

14.1 The Proposed Development does not sit in an empty landscape. It is proposed in a part of North Yorkshire already carrying a concentration of energy infrastructure, and it would be constructed alongside other major schemes.

14.2 North Yorkshire Council, in its response to the Preliminary Environmental Information Report, identified that there are a number of major developments including Nationally Significant Infrastructure Projects within 10 kilometres, some with extensive site areas crossing many kilometres, which are in proximity to and intersect with Light Valley Solar. The Council stated that it would expect a cumulative landscape and visual assessment taking account of the group of sites as a whole together with other major projects up to 10 kilometres.

14.3 Two of the schemes the Council identified are of particular significance.

14.4 The first is the Yorkshire Green Energy Enablement Project, which crosses many kilometres and terminates at Monk Fryston substation, being the same substation to which the Proposed Development would connect. That project is consented and under construction, and is expected to be entering service in 2027 with construction and reinstatement completing in 2028. The construction period of the Proposed Development, beginning in 2028 at the earliest, would therefore overlap or immediately follow it on the same ground.

14.5 The second is Ferrybridge Next Generation Power Station, described by the Council as including a gas pipeline of up to 10 kilometres which crosses Solar Development Site 4 and the Cable Route Corridor. A high pressure gas pipeline crossing the same parcel on which a 275kV substation is proposed, and crossing the cable corridor, raises questions of construction sequencing, land availability, protective provisions and, given Ground 8 above, of fire and major accident risk in combination.

14.6 The Council also noted an application for an agricultural anaerobic digestion facility approximately 110 metres west of Solar Development Site 7.

14.7 I make three submissions.

14.8 First, the cumulative assessment should be tested against the list the Council itself considers appropriate, namely all major projects within 10 kilometres, and not against a narrower list selected by the Applicant.

14.9 Second, cumulative construction traffic is the most acute issue and it is inadequately addressed. Ground 7 above sets out that the Transport Assessment does not assess road safety off the public highway network. Where several major infrastructure projects are constructed concurrently on the same rural road network, the relevant question is not whether each is individually acceptable but whether the network can carry them together. The Applicant's Policy Compliance Document identifies driver delay arising in combination with one other scheme at the A63 and A162 roundabout, and states that the Proposed Development does not trigger a requirement for a contribution to the planned investment in that junction. The Examining Authority should test whether that conclusion holds once the full set of concurrent schemes is considered.

14.10 Third, I note that in respect of greenhouse gas emissions the Applicant states that a cumulative assessment is considered inappropriate because the receptor is the global climate. Whatever the merit of that position for emissions, it should not be permitted to set a precedent for the treatment of cumulative effects on receptors which are emphatically local, namely residents, the highway network, the landscape and the water environment.

14.11 I invite the Examining Authority to require the Applicant to provide a schedule of every major development, consented or under application, within 10 kilometres of any part of the Order Limits, with its anticipated construction programme set against that of the Proposed Development, and to identify every point at which construction activity would be concurrent.

15. GROUND 13: COMPULSORY ACQUISITION

15.1 The draft Development Consent Order seeks powers of compulsory acquisition and temporary possession. Those powers engage tests which are separate from, and not displaced by, the Critical National Priority policy in NPS EN-1.

15.2 Section 122 of the Planning Act 2008 provides that an order may include provision authorising compulsory acquisition only if the Secretary of State is satisfied that the land is required for the development to which the development consent relates, or is required to facilitate or is incidental to that development, and that there is a compelling case in the public interest for the land to be acquired compulsorily. Section 123 governs when such provision may be included. The Secretary of State's guidance requires an applicant to demonstrate that all reasonable alternatives to compulsory acquisition have been explored, that the proposed interference with rights is proportionate, and that the resources necessary to fund the acquisition are likely to be available.

15.3 On the material presently before the Examination, I do not consider that the Applicant has demonstrated these matters, for the following reasons.

15.4 The land position is markedly uneven. The Applicant's Grid Connection Statement records that voluntary Option to Lease Agreements have been entered into with the landowners of the Solar Development Sites. In respect of the Cable Route Corridor, by contrast, it records only that Heads of Terms have been issued to each affected landowner and that negotiations will continue. Heads of terms are not agreements. The Applicant therefore holds secured rights over the generating land and, on its own account, unsecured rights over the 328.5 hectares of cable corridor through which the entire output of the scheme must pass.

15.5 The Applicant's published material states that it has entered into option agreements with two supportive landowners for the land proposed for solar panels, substations and energy storage. If the whole of approximately 900 hectares of Solar Development Sites is held under agreement with two parties while the connecting corridor depends on compulsory acquisition against a much larger number of unwilling or unresolved interests, that is relevant both to the compelling case test and to the site selection questions raised at Ground 1. Land assembled by reference to which landowners were willing is not the same as land selected by reference to environmental suitability.

15.6 There is evidence of unresolved and contested interests. The Applicant's own Response to Relevant Representations records that a caution against first registration has been lodged at HM Land Registry over a lane and verges at Field House Farm; that the respondent asserts long-standing possession and that no rights, easements or permissions exist in favour of the Applicant; that as at the date of that response the respondent had not granted the rights sought; and that the respondent had reported that the Applicant's land agents had not been keeping them updated. The Applicant's answer was that negotiations are reported in the Land and Rights Negotiations Tracker and that it welcomes further meetings.

15.7 I invite the Examining Authority to require the Applicant to provide, and to keep updated through the Examination:

(a) the total number of freehold and leasehold interests over which compulsory acquisition or temporary possession powers are sought, distinguishing between the Solar Development Sites, the Cable Route Corridor, the Highways Improvement Areas and the Site 8 Access;

(b) the number of those interests in respect of which a binding voluntary agreement has been concluded, as distinct from heads of terms issued or negotiations opened;

(c) the number of interests where no contact has been established, or where the owner is unknown or unidentified;

(d) a statement of the alternatives to compulsory acquisition considered for each section of the Cable Route Corridor, given that the corridor extends to approximately 30 kilometres and that alternative

routes are acknowledged in the application to remain under consideration; and

(e) a funding statement demonstrating that resources are likely to be available to meet the compensation liability, having regard to the fact that the Applicant is a special purpose subsidiary and that the scheme may be sold to a third party developer following consent.

15.8 Point (e) warrants emphasis. The party which would exercise these powers, and which would owe the resulting compensation and the decommissioning obligations discussed at Ground 4, may not be the party now before the Examination. The Examining Authority should satisfy itself as to what security exists for those obligations independently of the identity of the eventual operator.

15.9 I do not object to compulsory acquisition as a matter of principle. I object to it being authorised over a corridor whose route is not finally fixed, for a scheme whose grid connection status is not disclosed, in favour of a company whose continued involvement is not guaranteed.

16. CROSS-CUTTING MATTER: RELIANCE ON OUTLINE DOCUMENTS

16.1 A consistent pattern is apparent in the Applicant's responses to Relevant Representations. Substantive concerns are answered by reference to an outline management document, a requirement in the draft Development Consent Order, and the appointment of a community liaison officer.

16.2 The suite of outline documents is extensive. It includes the Outline Construction Environmental Management Plan, the Outline Operational Environmental Management Plan, the Outline Decommissioning Environmental Management Plan, the Outline Soil Resource Management Plan, the Outline Landscape and Ecological Management Plan, the Outline Battery Safety Management Plan, the Outline Construction Traffic Management Plan, the Outline Pollution and Spillage Response Plan, the Outline Materials and Waste Management Plan, the Outline Bird Mitigation Area Management Plan and the Outline Public Rights of Way Management Plan.

16.3 I do not suggest that outline documents have no place. They are an established mechanism. My submission is narrower and, I hope, more useful to the Examining Authority.

16.4 The Environmental Statement reaches conclusions on residual effects. Those conclusions assume that mitigation will be delivered. Where the mitigation is described in outline only, the residual effect conclusion is contingent on detail which does not yet exist and which will be settled after consent, by discharge of requirement, without the scrutiny of examination and without the participation of Interested Parties.

16.5 The practical consequence is that the significance of effect on which the planning balance depends has been assessed against a standard of mitigation which is aspirational rather than committed. Where an outline document commits only to a process, or to a principle, or to compliance with a standard to be identified later, it cannot support a finding that a significant effect has been reduced to an acceptable level.

16.6 I therefore invite the Examining Authority, in respect of each outline document relied upon in this Examination, to identify which commitments within it are fixed and enforceable, and which are matters of principle to be resolved later, and to consider whether the residual effect conclusions in the Environmental Statement remain sound on the basis of the former alone.

17. REQUESTS TO THE EXAMINING AUTHORITY

17.1 I respectfully request that the Examining Authority:

(a) include the site selection process and the adequacy of the alternatives assessment among the principal issues, and examine the sequencing of the grid connection agreement and the site search;

(b) require the Applicant to explain the removal of Site 5 and to address why the same reasoning was not applied to comparably constrained parcels which were retained;

(c) require a Sequential Test conducted on a search area not limited by the Applicant's existing grid connection;

(d) require site-by-site figures for land within each Flood Zone and for Agricultural Land Classification grade, expressed in hectares and as percentages;

(e) hold an Issue Specific Hearing addressing flood risk and water environment, including battery fire water containment, with the Environment Agency, the Lead Local Flood Authority and North Yorkshire Fire and Rescue Service in attendance;

(f) hold an Issue Specific Hearing addressing landscape and visual effects with particular reference to the Site 2 substation and battery compound and the matters raised by North Yorkshire Council on 7 July 2026, including the asserted departure from the Applicant's Design Approach Document;

(g) require a corrected and fully surveyed biodiversity metric; and

(h) scrutinise the draft Development Consent Order to ensure that mitigation relied upon in the Environmental Statement is secured by enforceable requirement rather than deferred to post-consent approval;

(i) require the Applicant to disclose the contracted connection date and the status of its connection agreement under the reformed connections process, and to confirm whether the connection is dependent on completion of the Yorkshire Green Energy Enablement Project; and

(j) require a Statement of Common Ground between the Applicant and National Grid Electricity Transmission addressing capacity, timing and the availability of the connection bay at Monk Fryston;

(k) require the Applicant to justify the scoping out of battery fire, human health and air quality from the Environmental Statement, and to explain how the Critical National Priority presumption can be claimed on the basis of assessments that were not carried out; and

(l) require the Applicant to evidence its grey belt characterisation, and obtain North Yorkshire Council's position on it; and

(m) require the Applicant to identify, quantify and secure a firefighting water supply and replenishment source for the BESS Compound and all three substations, tested against dry year and drought conditions over the 60 year operational period, and to update its assessment against Abstraction Licensing Strategies more recent than 2013; and

(n) require that operational noise be controlled by a numerical limit secured in a Requirement, and resolve the recorded disagreement between the Applicant and North Yorkshire Council as to the appropriate design criterion;

(o) require a schedule of all major development within 10 kilometres with construction programmes set against that of the Proposed Development; and

(p) require a full and regularly updated statement of the land position and a funding statement in respect of the compulsory acquisition powers sought.

17.2 I confirm that I wish to be notified of all future deadlines and hearings in this Examination, and I reserve the right to comment further at subsequent deadlines, including on the Applicant's response to this representation, on Local Impact Reports, and on the ExA's written questions.

18. CONCLUSION

18.1 The Proposed Development is presented as a single scheme. It is not. It is seven separately constrained parcels, linked by approximately 30 kilometres of cable, assembled because together they satisfy a grid connection which was contracted before the search for a suitable site began.

18.2 Every ground of objection set out above is a symptom of that single failure. The flood risk arises because constrained land was included rather than avoided. The loss of best and most versatile agricultural land arises because the search area was too narrow to contain a better alternative. The landscape harm arises because infrastructure was sited where it would fit rather than where the Applicant's own design methodology indicated. The transport difficulties arise because seven dispersed parcels served by rural lanes generate a burden that a single well-located site would not. The uncertainty over biodiversity and battery safety arises because detail has been deferred to documents which will be settled after the Examination has closed.

18.3 That failure has a further consequence. The connection which drove the design is itself evidenced only by an agreement entered into in December 2021, without a stated connection date, and without any account of how it has fared under a connections regime that has since been comprehensively reformed. The Applicant asks the Secretary of State to accept very substantial and long lasting harm to a large area of high quality agricultural land on the strength of a commercial arrangement whose current status has not been disclosed.

18.4 I add one further point on safety. The Applicant asks the Secretary of State to accept that this development poses no unacceptable risk to human health and public safety. It has not assessed battery fire, it has not assessed human health as a standalone matter, and it has not assessed air quality beyond construction dust. A conclusion of no unacceptable risk reached without assessing the risk is not a conclusion at all.

18.5 The need for renewable energy generation is not in dispute. What is in dispute is whether this development, on this land, assembled in this way, has been shown to be the right means of meeting it. In my submission it has not.

18.6 I therefore object to the grant of development consent, and I ask the Examining Authority to recommend that the application be refused.

Annette Exley
8 August 2026

Submission ID: SCC0F0449

GROUNDS OF OBJECTION light valley
1. Site selection and the assessment of reasonable alternatives. The search area was determined by the Applicant's existing 500MW grid connection rather than by environmental suitability.
2. The Proposed Development is not a single suitable site but a collection of individually constrained parcels assembled to satisfy that connection.
3. Flood risk and the Sequential Test. Infrastructure is proposed within Flood Zones 2 and 3.
4. Loss of best and most versatile agricultural land, for an operational period of 60 years.
5. Landscape and visual effects, including the substation and battery compound adjoining the A63, and the matters raised by North Yorkshire Council on 7 July 2026.
6. Biodiversity, including biodiversity net gain not secured at the point of consent, ancient woodland, and functionally linked land.
7. Traffic, transport and highway capacity, including access routes not assessed for road safety.
8. Battery energy storage and substation fire safety, including the absence of any assessment of fire risk at the three proposed substations, and the exclusion of firefighting water from the Water Resource Assessment.
9. The grid connection, no connection date being disclosed and the effect of connections reform not addressed.
10. Green Belt and the grey belt characterisation.
11. Noise, including the adequacy of the baseline survey and the design criterion twice requested by North Yorkshire Council and declined.
12. Cumulative and in-combination effects.
13. Compulsory acquisition.
Cross-cutting: reliance on outline management documents, with the consequence that mitigation relied upon in the Environmental Statement is not secured at the point of consent.
TOPIC AREAS ENGAGED
Air quality; biodiversity and ecology; climate change resilience; compulsory acquisition and land rights; design and good design; draft Development Consent Order and Requirements; flood risk and drainage; grid connection and need; health, wellbeing and public safety; historic environment; land use, agricultural land and Green Belt; landscape and visual amenity; major accidents and disasters; noise and vibration; public rights of way; socio-economics; traffic and transport; water environment and water resources.
Full grounds are set out in my Written Representation and covering letter submitted with this form.
Pure ASCII, so it'll paste cleanly from the iPad without smart quotes or dashes being mangled.
If the box turns out to be character-limited, cut the topic areas paragraph first — the thirteen numbered grounds are the part that matters, and the covering letter carries the rest.