

Light Valley Solar

08.17 The Applicant's Response to North Yorkshire Council's Local Impact Report

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Light Valley
Solar

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Deadline 2 Submission

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Table of Contents

1	Introduction	4
1.1	Purpose of the Document	4
1.2	Structure of the Report	4
2	The Applicant’s responses to North Yorkshire Council’s Local Impact Report	6

1 Introduction

1.1 Purpose of the Document

- 1.1.1 This document provides the Applicant's response to the Local Impact Report received by North Yorkshire Council.
- 1.1.2 The Local Impact Report submitted by North Yorkshire Council is **[REP1-006]**, which can be viewed in the [Examination Library](#).
- 1.1.3 The Applicant has submitted separate documents alongside this document responding to other relevant submissions at Deadline 1. These include:
- 08.19 The Applicant's Response to Submissions Received at Deadline 1 – Statutory Bodies
 - 08.19 The Applicant's Response to Submissions Received at Deadline 1 - Parish Councils and Non-Statutory Organisations
 - 08.18 The Applicant's Response to Submissions Received at Deadline 1 - Members of the Public

1.2 Structure of the Report

- 1.2.1 This document is structured as follows:
- Table 1.1 sets out the list of acronyms used for management documents that form part of the Applicant's submission and may have been referred to by the Applicant in responding to submissions. The wider range of acronyms used by the Applicant can be found in the **Contents, Glossary and Abbreviations [APP-038]**.
 - **Section 2** of this document provides responses to the Local Impact Report from North Yorkshire Council, set out in Table 2.1.
- 1.2.2 Comments with Reference ID **LIR-NYC-94** to **LIR-NYC-114** include an updated version of the Biodiversity and Ecology comments which were received by the Applicant from North Yorkshire Council on 18 August 2026, due to an old version of this section being submitted at Deadline 1. The Applicant has considered the latest version of these comments, and understands that North Yorkshire Council are submitting an updated version at Deadline 2 which reflects those updated biodiversity comments.
- 1.2.3 References to the Application documentation are provided in accordance with the referencing system set out in the Planning Inspectorate's Light Valley Solar [Examination Library](#).

Table 1.1 List of Acronyms for Submission Documents

Term of Abbreviation	Definition
DCO	Development Consent Order
CR	Consultation Report (shorthand for appendices)
EIA	Environmental Impact Assessment
ES	Environmental Statement
BNG	Biodiversity Net Gain
FRADS	Flood Risk Assessment and Drainage Strategy
oCEMP	Outline Construction Environmental Management Plan
oPSRP	Outline Pollution and Spillage Response Plan
oOEMP	Outline Operational Environmental Management Plan
oDEMP	Outline Decommissioning Environmental Management Plan
oSRMP	Outline Soil Resource Management Plan
oMWMP	Outline Materials and Waste Management Plan
oPROWMP	Outline Public Rights of Way Management Plan
oLEMP	Outline Landscape and Ecological Management Plan
oBMAMP	Outline Bird Mitigation Area Management Plan
oSSCEP	Outline Skills, Supply Chain and Employment Plan
oBSMP	Outline Battery Safety Management Plan
oCTMP	Outline Construction Traffic Management Plan

2 The Applicant's responses to North Yorkshire Council's Local Impact Report

Table 2.1 Applicant's responses to North Yorkshire Council's Local Impact Report

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-01	The Proposed Development	The relevant local plan policies are: a) Policy SP1 of the Selby District Core Strategy Local Plan – Presumption in Favour of Sustainable Development b) Policy SP2 of the Core Strategy Local Plan – Spatial Development Strategy c) Policy SP13 of the Core Strategy Local Plan – Scale and Distribution of Economic Growth d) Policy SP17 of the Core Strategy Local Plan – Low Carbon and Renewable Energy Local planning policies support the proposed development in principle.	The Applicant notes this comment. Policies have been considered within the Planning Statement [updated alongside this submission] and the Policy Compliance Document [updated alongside this submission]. Policies not included are noted below including a short explanation: 1. SP12 – access to services, community facilities and infrastructure relates to provision of infrastructure for new development and not infrastructure in and of itself. The reference to provision of green infrastructure in the policy is covered by NPS EN-1 5.11.24 ensuring the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development. 2. T7 – promoting the objectives of the national cycling strategy. Works No10B in the draft Development Consent Order (draft DCO) [updated alongside this submission] designates permissive paths suitable for pedestrians and Works No 10C designates permissive paths for pedestrians, cyclists and equestrians. The outline Public Rights of Way Management Plan [APP-199] confirms at paragraph 3.1.16 that where there is a requirement to temporarily close or divert the PRow, short term localised diversions would typically be implemented and PRows will remain open, and managed, during the daytime period wherever practicable. 3. Regarding Minerals and Waste policy S01 and S06, these matters are addressed in the submitted Minerals Assessment [APP-210], appendix 3 to the Planning Statement.
LIR-NYC-02	The Proposed Development	The Authority notes the national need for energy security and provision and the national policy position contained in the National Policy Statements regarding renewable energy.	The Applicant notes this comment.

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LIR-NYC-03	Noise and Vibration	The Environmental Statement (ES) presents a comprehensive and robust assessment of noise and vibration impacts across all phases of development. Baseline conditions reflect a typical rural sound environment. Construction and construction traffic impacts are predicted to be temporary and not significant, with short-term activities such as night-time HDD limited in duration. Operational noise modelling indicates that the majority of receptors would experience noise levels at or close to existing background sound levels. At a limited number of receptors in closest proximity to fixed plant infrastructure, exceedances of up to approximately 5–10 dB above background sound levels are predicted, however, taking into account absolute noise levels and relevant guidance, these are not considered significant in EIA terms. A range of embedded mitigation measures, including plant siting, orientation, acoustic screening and selection of low-noise equipment, has been incorporated into the Proposed Development design, and further optimisation is proposed at the detailed design stage.	The comment is noted. The Applicant notes that, as set out in Paragraph 11.9.43 of the ES Volume 1, Chapter 11: Noise and Vibration [APP-049], the predicted rating sound levels do not exceed the representative background sound level at most assessed receptors and, in accordance with BS 4142, this indicates a low impact. The Applicant further notes that, for a limited number of receptors in close proximity to fixed plant infrastructure, predicted night-time rating sound levels may exceed the representative background sound level. The maximum predicted exceedance is up to 8dB(A) and occurs during the night-time period only. As described in the assessment, having regard to the absolute noise levels and relevant guidance, these effects are not considered significant.
LIR-NYC-04	Noise and Vibration	Key local issues are as follows: • Localised exceedances of up to approximately 5–10 dB above background sound levels at receptors nearest to plant infrastructure represent a potential for adverse impact, particularly during night-time periods. • Operational noise outcomes remain sensitive to final plant layout, specification and detailed design. • Mitigation measures are currently defined at an outline level and will be refined at detailed design stage • A clear and enforceable operational noise limit is not explicitly set out at this stage and • Commitments to post-construction monitoring, verification and remedial action require securing through the Development Consent Order (DCO).	The Applicant notes that predicted exceedances of the representative background sound level occur during the night-time period only and are limited to a small number of receptors in close proximity to fixed plant infrastructure. The maximum predicted exceedance is up to 8dB. As described in the assessment, having regard to the absolute noise levels and relevant guidance, these effects are not considered significant. With regards to operational noise limits, as noted in Section 11.8 Embedded and good practice mitigation and enhancement measures of the ES Volume 1, Chapter 11: Noise and Vibration [APP-049], the design is expected to continue evolving, and changes may occur. Any changes will ensure that resulting operational noise impacts do not lead to significant effects. The Noise and Vibration Chapter then notes that: <i>“Given this, the Applicant has committed that, as part of its submission of the detailed OEMP, it will include:</i> <i>1. Details of the operational noise mitigation measures that have been implemented as part of the detailed design;</i> <i>2. A noise impact assessment of the finalised detailed design of that part of the Proposed Development to which the OEMP relates. This will be required to demonstrate that the operational noise sources will not lead to materially new or materially different effects that are worse than reported in this chapter;</i> <i>3. A commitment to undertake and submit to North Yorkshire Council a verification exercise (the methodology for which will be sought to be agreed as part of the detailed OEMP) three months after operations begin for that part of the Proposed Development. This verification</i>

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			<i>exercise will seek to confirm that the conclusions of that noise impact assessment have been borne out; and</i> 4. <i>A commitment that if that verification exercise concludes that the conclusions have not been borne out that the Applicant will undertake remedial actions to ensure those conclusions are delivered."</i> These commitments are set out in the Outline Operational Environmental Management Plan (oOEMP) [updated alongside this submission]. The Applicant notes that, rather than specifying operational noise limits at this stage of the design process, the committed approach is to undertake a noise impact assessment of the final detailed design to demonstrate that operational noise effects would not result in materially new or materially different effects that are worse than those reported in the ES. As above, the Applicant has also committed to post-construction verification monitoring and, where necessary, remedial actions.
LIR-NYC-05	Noise and Vibration	The approach to noise and vibration assessment and mitigation is acceptable in principle and the ES demonstrates that no significant adverse effects are predicted. However, given the presence of localised exceedances above background sound levels and the reliance on detailed design and outline mitigation measures, it is important that robust controls are secured through the DCO. This should include a clear operational noise design criterion relative to background sound levels at sensitive receptors, the requirement for detailed Construction and Operational Environmental Management Plans, provision for post-construction noise monitoring and verification, and mechanisms for remedial action where necessary.	The comment is noted. As set out in the response above, an operational noise limit is not proposed at this stage. Instead, the Applicant has committed to undertake a noise impact assessment of the final detailed design to demonstrate that operational noise effects would not result in materially new or materially different effects that are worse than those reported in the ES. The Applicant further notes that commitments relating to the preparation of detailed environmental management plans, post-construction verification monitoring and, where necessary, remedial actions are secured through the oOEMP [updated alongside this submission].
LIR-NYC-06	Noise and Vibration	In addition, given that the DCO includes provisions which may limit reliance on statutory nuisance controls, the securing of clear and enforceable noise controls within the DCO is essential to ensure the protection of residential amenity. Subject to these matters being secured, no objection is raised in respect of noise and vibration.	The comment is noted. The Applicant notes that commitments relating to detailed environmental management plans, post-construction verification monitoring and, where necessary, remedial actions are set out in the oOEMP [updated alongside this submission] . The provision of a detailed OOEMP in substantial accordance with this is outline secured by Requirement 13.
LIR-NYC-07	Landscape and Visual	The Council has considered published landscape character assessments that inform policy including North Yorkshire and York Landscape Characterisation Project (2011) and the Selby Landscape Character Assessment (2019).	The North Yorkshire and York Landscape Characterisation Project (2011) and the Selby Landscape Character Assessment (2019) have informed the landscape baseline set out section 10.7 of ES Volume 1, Chapter 10: Landscape and Visual [APP-048] . The Landscape Character Areas (LCA) defined in the Selby Landscape Character Assessment have been used as receptors in the assessment of likely landscape effects and this approach was agreed with NYC. Detailed baseline descriptions of each LCA and the value attached to the landscape with reference to the factors set out in Landscape Institute Technical Guidance Note (TGN) 02/21 are set out in ES Volume 3, Appendix 10.2: Landscape Baseline and Effects [APP-168] .

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LIR-NYC-08	Landscape and Visual	The Council has considered the North Yorkshire and York Local Nature Recovery Strategy (LNRS) and the cumulative effects arising from multiple large-scale energy infrastructure proposals within the former Selby district and wider Drax area.	Section 1.3 of the Outline Landscape and Ecological Management Plan (oLEMP) [updated alongside this submission] and the Applicant's response provided in LIR-NYC-20 proved further details on the LNRS. Section 10.14 of ES Volume 1, Chapter 10: Landscape and Visual [APP-048] sets out an assessment of the likely cumulative landscape and visual effects of other similar large-scale energy and industrial projects in the study area. Further detail is provided in the Applicant's response to LIR-NYC-15.
LIR-NYC-09	Landscape and Visual	The Council considers that the Applicant has undertaken a broadly comprehensive landscape and visual assessment in accordance with established Landscape and Visual Impact Assessment (LVIA) principles.	The Applicant notes this comment.
LIR-NYC-10	Landscape and Visual	The Council acknowledges that the Proposed Development has the potential to deliver benefits for landscape character and views, however, it considers that several landscape and visual matters require further scrutiny through Examination. These include: • Removal of trees within Order Limits • Effects of shading from vegetation being retained (e.g. site 1) • The landscape and visual assessment for Site 2 and the proposed siting of the 275kV substation and battery energy storage system (BESS) • Aspects of the Socio-Economic Chapter (Chapter 13) that interface with landscape and views, including Site 2 • Cumulative assessment • User experience of public rights of way (PRoW) and permissive paths within the proposed solar sites • Community benefits package • Opportunities for enhancement • Outline Decommissioning Environmental Management Plan (ODEMP) • Alignment of the Outline Landscape and Ecological Management Plan (OLEMP) with the Local Nature Recovery Strategy (LNRS)	The Applicant welcomes the Council's recognition of the benefits for landscape character and views that the Proposed Development has the potential to deliver. Detailed responses to each specific point are provided below.
LIR-NYC-11	Arboriculture	1) Removal of Trees and Hedgerows The Arboricultural Impact Assessment indicates that up to 76 trees and a length of hedgerow (1543m) will need to be removed to facilitate the Proposed Development. It is unclear whether the applicant intends to replace this established green infrastructure and in which location as part of the DCO	Section 3.2 of ES Volume 3, Appendix 16.2: Arboricultural Impact Assessment [APP-184] addresses tree removal and retention, noting that the assessment is based on a worst-case scenario and setting out the parameters for the working width that has been assumed. As noted in the Executive Summary, the actual loss may be less than the figures quoted in the report. The Outline CEMP [updated alongside this submission] and the Design Parameters and Commitments Document [updated alongside this submission] set out the Applicant's commitments in respect of trees, including that any trees or hedges lost to cable installation will be replanted where appropriate in the Cable Route Corridor. Furthermore, as set out in the Biodiversity Net Gain Report [APP-220], with the Proposed Development's landscaping proposals in place, there will be a gain of approximately 72% in hedgerow units as a result of the Proposed Development based on the current proposals. The ecological mitigation and enhancement proposals, including BNG measures and the

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			creation of new hedgerows and the enhancement of existing boundary features throughout the Order Limits, are illustrated indicatively on the Outline Environmental Masterplans (OEM) [updated alongside this submission] , detailed and secured in the Outline Landscape and Ecological Management Plan (oLEMP) [updated alongside this submission] .
LIR-NYC-12	Landscape and Visual	(2) Effects of shading from vegetation being retained (e.g. site 1) The Outline Environmental Masterplans indicate the intention to retain some established trees (including some veterans) within some of the solar development sites (e.g. site 1). It is not clear what the effects arising from tree growth on shading of the solar panels might be in the future and whether the retained trees will be safeguarded from pruning and management.	In accordance with paragraph 2.10.92 of NPS EN-3, the Proposed Development has been designed as far as practicable to retain existing established trees and hedgerows. Consideration of the potential shading of panels as a consequence of the growth of existing hedges, established vegetation, including mature trees within boundaries has been taken account of in the design secured through the Works Plans [AS-004] and through the establishment of the buffer areas secured in the Design Principles and Commitments Document [updated alongside this submission]. The Outline LEMP [updated alongside this submission] also sets out commitments in respect of new planting being undertaken in a way which avoids shading (see e.g. paragraph 4.4.7).
LIR-NYC-13	Landscape and Visual	(3) Assessment of Site 2 and siting of infrastructure The Council has concerns related to the landscape and visual assessment of site 2 which proposes the siting of the 275kV substation and battery energy storage system (BESS) and their proximity to the A63 and their scale and massing. The A63 forms an important approach, via the Monk Fryston Conservation Area, to the historic centres for Selby and York. Visitors, tourists and potential investors use the route & first impressions of a place or area are important and tend to be lasting in the memory. Visitors, tourists and investors bring important economic benefits to North Yorkshire (see paragraph 7.4.7 below, that references the ES Socio-Economic Chapter). The proposed compound area for the substation is 3.5 ha with a maximum height of 13 m to the top of the busbars. The proposed compound perimeter requires securing with a 3m high palisade fence. The proposed BESS compound area is 10.5 ha and enclosed by a 5m high solid acoustic barrier around the perimeter (reference Viewpoint 55 – ES Volume 3, Appendix 10.4: LVIA Photography and photomontages). The physical attributes of the substation and BESS are quite different to the solar installation panels and their combined frontage onto the A63 extends to 700m. The Council does not consider that the impact of the substation and BESS have been sufficiently assessed evidenced by a review of the visual baseline and effects assessment tables for Viewpoints (VP) VP10, 11, 12 and 55 in Appendix 10.3 Visual Baseline and Effects. Nor does the siting of these two elements comply with some aspects of the Design Approach Document (DAD) and embedded mitigation has not been sufficiently considered. The Council references Paragraph 4.7.11 of NPS EN-1 states that “the Secretary of State should be satisfied that the applicant has considered <i>both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be</i>	The Applicant acknowledges the concerns raised by the Council with regard to the siting of the proposed 275kV substation and battery energy storage system (BESS) with in SDS 2. SDS 2 lies within LCA 11: Sherburn Farmlands, as defined within the Selby Landscape Character Assessment, 2019. This published landscape character assessment does not define the value attached to the landscape and so the Applicant has carried out a detailed, objective and evidence based assessment against a set of factors informed by Landscape Institute Technical Guidance Note (TGN) 02/21 <i>Assessing landscape value outside national designations</i>. This has determined that, against the criteria set out in Table 1-2 of ES Volume 3, Appendix 10.1: Landscape and Visual Assessment Methodology [APP-167], the value attached to the landscape of LCA 11 is low, assessed on a five point scale ranging from very low to very high. The assessment reflects the lack of landscape designations, the dominant intensive arable land use over many decades has resulted in the loss of natural heritage and function, distinctiveness and condition across most of the area and detracting features on the skyline. The susceptibility as a whole has been assessed as low and overall, reflecting the already highly modified working landscape, the sensitivity to the Proposed Development within LCA 11 is low. The results of this assessment are presented in Table 2-23 of ES Volume 3, Appendix 10.2: Landscape Baseline and Effects [APP-168]. At the site level, this is reflected in the assessment for SDS 2, which is also assessed as having low sensitivity. The results of this assessment are presented in Table 2-3 of ES Volume 3, Appendix 10.2: Landscape Baseline and Effects [APP-168]. SDS 2 comprises four large, flat arable fields with no hedgerows and is cut in two north to south by Fleet Dike. Historic map regression demonstrates

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		<i>located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible."</i> The Council requests that the assessment of the substation and BESS requires further investigation during the Examination in terms of effects on landscape and views, embedded mitigation and mitigation proposals.	that historically the landscape of SDS was substantially more diverse, with a patchwork of 18 fields and Fleet Dike meandering across in the 1830-1880s OS Six Inch map. The western side of SDS is bounded by tall, dense trees and a large block of deciduous woodland lies in the north-eastern corner. It lies to the north the A63, on a busy, straight, single carriageway section of road with a national speed limit. The western part of the southern boundary adjacent to the A63 is lined by a gappy hedgerow, but historic Google Streetview photography demonstrates that this hedgerow has been recently cut and that when grown out is capable of screening views into large parts of the substation and BESS compounds during the summer. The eastern part of the southern boundary is lined by more mature trees and hedgerow. Research conducted to inform ES Volume 1 Chapter 8: Cultural Heritage [updated alongside this submission] acknowledges the connection of the village of Monk Fryston with the A63 which functions as the main route through the village. However, the route between the village and other settlements along the A63 was not identified within the North Yorkshire Historic Environment Record or within the Monk Fryston Conservation Area Appraisal as a key view from the village (April 2023 Monk Fryston conservation area appraisal). The Conservation Area Appraisal specifically notes views to the west and south of the Conservation Area as contributing heavily to the character of the settlement. As noted above, two historic mileposts [NHLE 1448541; NHLE 1295652] are located along the A63, however these derive their significance from their relationship with the road itself, and not from views across the surrounding landscape. The A63 is one of several A roads which form a network serving Selby and York. The section of the A63 where SDS 2 is located is approximately half between the villages of Monk Fryston to the west and Hambleton to the east. This is part of a route between the A1 approximately 5km to the west and Selby, 8.5km to the east. York, via the A63 and A19, is approximately 33km to the north of SDS 2. Whilst it is likely that some traffic on the A63 relates to visitors, tourists and investors accessing the historic centres of Selby and York, it is not designated as a tourist or scenic route. In reality the majority of the traffic is likely to be local or accessing places in the wider area. The section of the A63 from the A1 to Selby is characterised by views across generally flat expanses of arable land, existing settlement, and industrial development including the Monk Fryston substation and large agricultural complexes. The road is typically bound tightly by hedgerows and mature trees with glimpses out across the surrounding countryside. GLVIA3 notes in paragraph 6.33 that, with respect to susceptibility to change in views, <i>"travellers on road, rail or other transport routes tend to fall into an intermediate category of moderate susceptibility to change. Where travel involves recognised scenic routes awareness of views is likely to be particularly high."</i> Table 1-8 of ES Volume 3, Appendix 10.1: Landscape and Visual Assessment Methodology [APP-167] applies this principle. It sets out a five-point scale, attributing three levels of susceptibility to change of people travelling on roads, as follows:

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			• High - People travelling along promoted scenic routes. • Medium - People travelling along local roads, which are not promoted routes but where an appreciation of the surrounding landscape are relevant to the experience. • Low - People travelling on major road, rail or other transport routes which are not recognised as scenic routes. With reference to paragraph 6.32 of GLVIA3, susceptibility to change relates to: • the occupation or activity of people experiencing the view at particular locations; and • the extent to which their attention or interest may therefore be focused on the views and the visual amenity they experience at particular locations. The susceptibility to change of people travelling along the busy A63 has been assessed as low because it forms part of the Primary Route Network (PRN) with a national speed limit where the attention of motorists is likely to be on the road ahead. The PRN designates routes between major settlements and port/airports across Great Britain. This distinguishes it from minor roads across the rural landscape, for example people travelling along Hillam Common Lane (VP14), where the susceptibility to change is medium. Determining visual sensitivity also requires consideration of the value attached to views. In the case of views from the A63 across SDS2, the value attached to views has been assessed as low. This reflects the low value attached to the landscape. Combining judgements on the value attached to views and the susceptibility of people travelling along the A63 results in low sensitivity overall, with reference to VP11, VP12 and VP55. By means of a cross check, this is consistent with the low sensitivity attributed to views by users of main roads or passengers in public transport on main arterial routes, defined in Table 3.41 of the Design Manual for Roads and Bridges, LA 107 Landscape and visual effects, Revision 2. The magnitude of impact has been assessed with reference to size and scale, geographical extent and duration and reversibility of impacts against the criteria set out in Table 1-10 of ES Volume 3, Appendix 10.1: Landscape and Visual Assessment Methodology [APP-167]. As noted by NYC, the section of the A63 adjacent to the south-western field of land parcel 13-021, where the substation and BESS are proposed, measures approximately 700m. Accounting for views on the approach to SDS, it could be assumed that the substation and BESS would be visible for approximately 1 minute in winter, before proposed planting has established. This is a short duration considering the 15 minute journey between the centre of Monk Fryston and the centre of Selby, for example. In terms of size and scale, the infrastructure would be set back approximately 25m from the edge of the road. This would reduce the sense of scale, but it would still

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			appear as a mass across the middle ground of views from the A63. Overall, with reference to the assessment at VP11, VP12 and VP55, the magnitude of impact is assessed as high in construction, year 1 and year 15 of operation at these locations. The Outline Environmental Masterplan (OEM) [updated alongside this submission] proposes a band of trees and shrubs parallel with the road with a depth of approximately 12m. The majority would be forestry transplants, which mean that in year 1 of operation, views would remain more open, screened or filtered by the existing vegetation along the A63. The Applicant provided estimates of how tall planting could reach at year 5 and year 15 of operation in Written Summary of Applicant's Oral Submissions at ISH1 [REP1-004]. By year 15 of operation, planting would have grown by around 4.5m. As this planting is proposed closer to the road than the infrastructure, this would effectively screen the substation and BESS from the road. This is demonstrated by the photomontage for VP55, located to the north of the A63 and presented in ES Volume 3, Appendix 10.4: Photography and Photomontages [AS-028] Sheet 66. With reference to ES Volume 3, Appendix 10.3: Visual Baseline and Effects [APP-169], the LVIA has concluded that there would be moderate adverse significant effects on people travelling along the A63 through viewpoints VP11, VP12 and VP55 during construction and year 1 of operation. Effects would gradually reduce as the proposed planting establishes and by year 15 of operation, the proposed structures would be largely screened from the A63 and effects would be minor adverse, which is not significant.

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LIR-NYC-14	Socioeconomics & Landscape	4) Aspects of Socio-Economic context in relation to Site 2 In terms of relevant context, the Socio-Economic chapter (13) advises that tourism brought £4.06BN to the North Yorkshire and York economy in 2023 and that in 2024, Selby benefited from 320,000 visitors with a £41.5M contribution to the local economy. The same chapter identifies a number of local Tourism and Recreation Assets and Local Businesses (Environmental Statement Volume 2 - Figure 13.1). The plan confirms there is a cluster of community & recreational facilities, local business and tourism accommodation in South Milford, Monk Fryston and Hambleton and all these assets have close proximity to the A63 for road access. The A63 road corridor will enable access to many of the local Tourism and Recreation Assets and Local Businesses. The Council considers that further examination is required to establish whether the location, siting and mitigation of the substation and BESS would have a detrimental effect on the local economy, local community and first impressions of North Yorkshire for investors and visitors using the A63.	The Applicant notes these comments. ES Volume 1, Chapter 13: Socioeconomics [updated alongside this submission] identifies and assesses tourism, recreation, community and business receptors within the study area, including tourism accommodation, local businesses and recreational assets. The assessment concludes that, with embedded mitigation in place, no significant effects on tourism receptors, tourism-related businesses or the local economy are anticipated. The Applicant notes that the A63 is an important transport corridor providing access to several communities, businesses and recreational destinations. However, the socio-economic assessment focuses on the effects of the Proposed Development on identified tourism, recreation, community and business receptors, rather than on strategic highway corridors themselves. The A63 has not been identified as a tourism, recreation or socio-economic receptor. Access to tourism, recreation and community facilities would be maintained throughout the construction and operational phases of the Proposed Development. The assessment does not identify any significant effects on access to recreational facilities, tourism assets or local businesses arising from the Proposed Development. Traffic management measures are set out within the outline Construction Traffic Management Plan (oCTMP) [updated alongside this submission] to manage construction traffic movements and minimise disruption to users of the local highway network. The Applicant does not consider that the presence of the substation and BESS adjacent to the A63 would result in significant socio-economic effects on tourism, recreation or investment in the area. Effects relating to views experienced from the highway network and the status of those views in the context of tourism are discussed within the response LIR-NYC-13 above. The Applicant does not consider the A63 to be a sensitive tourism or recreation receptor for the purposes of the socio-economic assessment. Taking account of the assessment findings and the proposed mitigation measures, the Applicant therefore concludes that the Proposed Development would not give rise to significant adverse effects on local tourism, recreation assets, community facilities or the local economy. Access to these receptors would be maintained and no significant effects on their operation or use have been identified.
LIR-NYC-15	Landscape and Visual	(5) Cumulative Assessment The Landscape and Visual Impact Assessment includes a cumulative assessment with reference to a long list of in-combination effects and cumulative developments. Table 10-27 in Chapter 10 of the ES confirms 7 no. projects are relevant to the cumulative assessment. However, the table does not include development ID67 (Solar Farm AP/2025/0037/REF) which	Paragraph 10.7.107 of ES Volume 1, Chapter 10: Landscape and Visual [APP-048] identifies development ID67 (Hillam Solar Farm, appeal reference AP/2025/0037/REF) as forming part of the future baseline for the LVIA. Whilst this development does have consent, construction has not commenced as had been anticipated at the time that the LVIA was completed and it is not clear if it will commence and be operational prior to

Reference ID	Theme(s)	Comment	Applicant Response
		has a sizeable footprint and is in the vicinity of Sites 2, 3 and 4. The Council recommends that further examination to establish if there would be cumulative effects arising from site ID67 on landscape character areas (LCA) LCA11 Sherburn Farmlands, LCA13 Haddlesley Farmland and particularly viewpoints 11, 55 and 69.	the Proposed Development. This response therefore sets out a sensitivity test to consider if the different effects would arise if ID67 was assessed as a cumulative development. In line with ES Chapter 10 paragraph 10.14.7, this is based on a worst-case assumption that all of the included cumulative developments that are located in the same LCA would be built out. With reference to ES Volume 2, Figure 10.3.2: Selby District Published Landscape Character Areas [APP-092], the consented Hillam Solar Farm (ID67) lies wholly within LCA13: Haddlesley Farmland, which is crossed by the CRC and includes SDS 3 and SDS 4. The sensitivity of LCA is assessed as low in ES Chapter 10, based on the low value attached to the landscape and the low susceptibility to change. Two other developments have been scoped into the assessment of cumulative landscape effects relating to LCA 13. These are Yorkshire GREEN (ID 5) and Ferrybridge Next Generation Power Station (ID 7). The Order Limits for Yorkshire GREEN end on the western side of the A162 and whilst the LVIA identifies that there may some cumulative construction effects, in reality construction of this development is likely to be complete in 2028, before construction of the Proposed Development commences. The proposed above ground infrastructure relating to the Yorkshire GREEN project is located approximately 2.8km from the closest part of SDS 3, beyond the village of Hillam. No cumulative effects are anticipated for the operational phase of the Proposed Development. The northern underground pipeline corridor of the proposed Ferrybridge Next Generation Power Station crosses the centre of SDS. The potential for cumulative effects has been considered during the construction phase. No cumulative landscape or visual effects have been identified during the operational phase as it is assumed that no part of the proposed development would be above ground within LCA 13. Hillam Solar Farm is therefore the only other scoped-in development within LCA 13 which could interact with the Proposed Development during the operational phase. Discounting this development from the future baseline would not change the sensitivity of LCA 13, which is derived from its large-scale landscape, degraded pattern and lack of distinctiveness. It would abut the boundaries of SDS 3 to the north of Hillam Common Lane, to the west between the boundary of SDS 3 and Stocking Lane and to the south of Woodlands Lane. It would also join the northwestern corner of SDS 4, south of Bower's House Farm. In combination with the Proposed Development, it would create a larger, contiguous area of solar farm development stretching from the eastern edge of Hillam to Mearley Drain, to the south of Gateforth Wood. Openness closest to Hillam would be retained along Hillam Common Lane where the landscape pattern retains smaller fields such that sections where there would be solar farm development on both sides of the road would be limited to approximately 300m. Overall, it could be considered that in combination and assessed against the existing baseline, the Proposed Development together with the proposed Hillam Solar Farm could increase

Reference ID	Theme(s)	Comment	Applicant Response
			the magnitude of impacts because a larger proportion of LCA 13 would be laid out with solar panels and these would be read as a contiguous area. However, even if the magnitude of impacts at year 15 of operation were to increase from low to medium, this would still result in minor adverse cumulative effects as reported in the ES, which is not significant. Discounting ID67 from the future baseline would change the baseline descriptions for VP14, VP56, VP66 and VP69 because ID67 would not feature in these views in the existing baseline scenario. The value attached to these views is assessed as low and this would not change the sensitivity of the associated visual receptors. Without the consented ID67 in baseline views, parts of the Proposed Development may be less screened in year 1 of operation, but at a further distance and the magnitude of impact would remain as reported in the ES. By year 15 of operation, the proposed planting would have established, and the effects would remain as reported in the ES. Considering ID67 as a cumulative development, effects on visual receptors would be the same as those reported in the ES for the future baseline scenario. In summary, whether the consented Hill Solar Farm (ID67) is considered to form part of the future baseline or is assessed as a cumulative development, it is unlikely to change the findings of the assessment. This is because the value attached to the landscape and its susceptibility to change is low and with the mitigation measures proposed, it can be integrated into a much stronger landscape framework than exists in the baseline, enhancing the capacity of the landscape to absorb larger areas of solar farm development. This would deliver appropriate levels of mitigation that address adverse effects but also layer on benefits in strengthening the nature and green infrastructure network, for example.
LIR-NYC-16	Landscape and Visual	(6) User experience of public rights of way (PRoW) and permissive paths The applicant has included plans for a network of PRoW and permissive paths to facilitate greater public access to the countryside. In solar development site 4, there are proposals for lengthy stretches (1.5-2.0km) of PRoW and permissive path enclosed by solar arrays. It is unclear whether the design intention will provide sufficient visual interest for users in such constrained linear corridors with the inability to see beyond the immediate solar panels. Further the enclosed nature of these corridors may have no natural surveillance from others, so individual users (particularly women) may not feel safe to make use of this network. The Council recommends that this matter receives further examination, particularly a request for evidence of co-design with local communities to establish if these paths are likely to be used.	The Outline Environmental Masterplan (OEM) [updated alongside this submission] illustrate the network of public rights of way (PRoW) that intersect with, parts of the Proposed Development. These plans also show where these PRoW would be stopped up or diverted and where additional permissive paths are proposed to enhance the network, providing greater choice of routes and permeability through the landscape that does not currently exist. The majority of existing PRoW are across or along the edges of arable fields are by their nature, isolated. This weighs into decisions people already make about accessing PRoW in rural areas, and the changes the Proposed Development will make will similarly be taken into account. It is noted that the land either side is also private with no rights of public access and where landowners are entitled to erect fences or plant hedgerows at any time, for example. The Design Parameters and Commitments document [updated alongside this submission] establishes a minimum offset of 15m either side of PRoW within the Order Limits, equating to a corridor of 30m. This is substantially wider than the minimum widths of 1.5m for footpaths and 3m

Reference ID	Theme(s)	Comment	Applicant Response
			for bridleways on field edges and 1m and 2m respectively for footpaths and bridleways across fields. The minimum 30m corridor secured in the DCO therefore provides substantially more flexibility to move within the space than the baseline situation and preserves sight lines and natural surveillance. Regarding views from this network of routes across SDS4, solar panels would be visible during the early years of establishment of the proposed planting, would be screened by year 15 of operation. The panels may screen some longer distance views, particularly in the early morning and late afternoon when in the highest position. Taking account of the setbacks, throughout the majority of the day they would be closer to horizontal, preserving most views of the skyline. The Applicant also notes that design workshops were held with the local community and local stakeholders, including public rights of way officers from North Yorkshire Council during the pre-application stage. During the workshops, the proposed permissive path routes were discussed including the proposed parameters for off-sets and the potential routes and uses (walking, cycling and equestrian). The Applicant will engage further with the local community on these matters through the community liaison group post-consent.
LIR-NYC-17	Landscape and Visual Community Benefits	(7) Community Benefits package Clarification is requested on the status of the Light Valley Solar community benefits package. The creation and management prescriptions identified in the OLEMP and illustrated by the Outline Environmental Masterplans combined with the proposed footpath networks, interpretation and waymarking could lend themselves to community involvement. The creation and management prescriptions could contribute to significant nature recovery and multifunctional benefits from nature in the area (flood risk management, carbon sequestration, pollination etc.), while the proposed footpath networks provide opportunities for accessing nature and contributing to health and wellbeing, recreation and access to the countryside. The Council requests that this matter is further examined.	Delivering community benefits is a key objective of the Proposed Development, as outlined in paragraph 3.1.4 of the Design Approach Document [APP-216]. Paragraph 5.3.2 of the Outline Landscape and Ecological Management Plan (oLEMP) [updated alongside this submission] sets out the proposed planting that forms part of the embedded mitigation. These mitigation measures also offer additional functionality and benefits, including visual screening, habitat, shade, flood attenuation, climate change resilience and amenity. This is illustrated through the extensive measures set out in the Outline Environmental Masterplans (OEM) [updated alongside this submission]. Therefore, delivering community benefits is an integral part of the Proposed Development design secured in the DCO. Furthermore, in discharging the detailed LEMP, the Council and the Applicant will be able to consider the matters raised here by the Council. In addition to the community benefits that will be delivered through the measures embedded into the Proposed Development, the Applicant is also committed to providing a Community Benefit Fund. This will allow for community driven benefits that are not necessarily associated with the Proposed Development itself as the Applicant agrees that the communities closest to the project should benefit from it. The Applicant will continue to engage locally to shape a community Benefit Fund that works for the community.
LIR-NYC-18	Landscape and Visual	(8) Opportunities for Enhancement Guidelines for Landscape and Visual Impact Assessment (GLVIA) recognises that mitigation is linked to significant adverse landscape and visual effects and is a requirement of the EIA Regulations. GLVIA also	The Design Approach Document (DAD) [APP-216] explains the measures embedded in the design of the Proposed Development that will deliver enhancements over and above the essential mitigation.

Reference ID	Theme(s)	Comment	Applicant Response
		recognises the opportunity for enhancement to improve the landscape resource and visual amenity of the proposed development site and its wider setting, over and above its baseline condition. The Council is aware of other NSIPs where the applicant has provided enhancements to the landscape as a resource and visual amenity in addition to mitigation. Receptors will experience a significant change in landscape and views during the construction of the Proposed Development and from the beginning of operation. At paragraph 10.10.3 of Chapter 10, it is stated that 'it takes time for proposed planting to establish and not possible to further mitigate adverse effects on the landscape and people's views at Year 1. At paragraph 10.10.5 it is stated that 'In relation to the mitigation proposals in respect of Glint and Glare, discussion of this is set out in The Glint and Glare Assessment included as Appendix 16.4 [EN0110012/APP/LVS/06.03.16.04] (ES Volume 3)'. The Council is aware that some advanced planting is proposed to reduce the risk of glint and glare near roads and other sensitive receptors from the beginning of operation. The Council requests that the examination further investigates the opportunities for advance planting (in advance of operation) to address the adverse effects on sensitive receptors and improve the landscape and visual environment.	Paragraph 3.8.13 explains that <i>"the Proposed Development will result in the creation and delivery of sustainable infrastructure which is sensitive to place, by delivering a design that has followed the mitigation hierarchy to avoid and reduce impacts as far as possible, integrates with the surrounding landscape, provides ecological and landscape enhancements, and improves recreational facilities in the area through permissive paths"</i>. Delivering enhancements in this way maximises the benefits derived from the network of green and blue infrastructure proposed. The delivery of the proposed landscape and visual mitigation and enhancement measures will be secured through the Design Parameters and Commitments document [updated alongside this submission] and the Outline Landscape and Ecological Management Plan (oLEMP) [updated alongside this submission]. The oLEMP includes measures for implementing and managing advanced planting in section 4.2. The proposed locations for advanced planting specifically required to address potential glint and glare effects are shown in ES Volume 2, Figure 16.1: Advanced Planting for Glint and Glare Mitigation [APP-141]. All proposed planting is embedded within the design of the Proposed Development. It is important to note that planting increases in effectiveness as it establishes, year on year. Further information was provided on this in item 4.7(a) of Written Summary of Applicant's Oral Submissions at ISH1 [REP1-004]. Paragraph 4.31 of GLVIA3 states that <i>"Mitigation measures, especially planting schemes, are not always immediately effective. Advance planting can help to reduce the time between the development commencing and the planting becoming established."</i> The Applicant acknowledges the value of advance planting where warranted by the assessment evidence. However, the evidence does not demonstrate a need for advance planting beyond those locations affected by glint and glare. Committing to advance planting in all circumstances would extend beyond what is reasonably necessary to make the development acceptable in planning terms. The proposed commitment therefore represents a proportionate response to the identified effects, providing mitigation where justified whilst retaining flexibility to deliver the landscape strategy illustrated on the OEM across the SDSs. The Applicant will endeavour that other planting will be carried out as early as practicable within the construction period, where it does not conflict with construction processes, but this is not a requirement in the context of the conclusions of the ES.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-19	Landscape and Visual	(9) Outline Decommissioning Environmental Management Plan (ODEMP) Subsection 2.1 of the ODEMP sets out decommissioning activities, with paragraph 2.1.2 describing the removal of above-ground physical infrastructure and each solar development site restored to its current use and returned to the landowner. It states that post-decommissioning the landowners may return all the land to arable use, and by implication that would include established hedgerows and woodlands forming part of the mitigation planting. However, the paragraph concludes with an expectation that established habitats would be retained. The Council is concerned that some of the extensive areas of green infrastructure to be established as part of the mitigation measures may be at risk of removal without mechanisms for its protection. Removal of extensive areas of green infrastructure would be contrary to national and local policy. The Council recommends that mechanisms for working with landowners to retain and protect green infrastructure during operation and subsequent decommissioning should be explored and that this matter is considered further during the examination. As an example, hedgerows as linear green infrastructure are highly efficient in terms of limited land take and yet provide many multifunctional benefits as set out in paragraph 7.4.17. The Land Use Framework sets out the importance of addressing the 'trap' of inefficient land use through spatial optimisation. The retention of established green infrastructure would contribute to that optimisation. The Outline Landscape and Ecological Management Plan (OLEMP) at paragraph 4.3.13 advises that up to 35km of new hedgerow, including some hedgerow trees, are proposed as part of the Proposed Development. However, there is no reference to the Hedgerow Regulations (1997) and Management of Hedgerows (2024) in the ODEMP in respect of the need for protection and management of established hedgerows prior to the return of land to landowners. During the lifetime of the Proposed Development, an established 35km network of hedgerow will provide a significant contribution to landscape character and views and many other outcomes including benefits for biodiversity, flood risk management, soil protection, improvements to water quality and carbon sequestration (etc.) Green infrastructure is critical infrastructure in helping to mitigate the effects of and adapting to climate change. The Council recommends that this matter is considered further during the examination. Further to the potential removal of mitigation planting during decommissioning, the Landscape Baseline and Effects (Volume 3 – Appendix 10.2) and Visual Baseline and Effects (Volume 3 – Appendix 10.3) do not assess this scenario in terms of their respective receptors. Table 3-7 titled 'Arboriculture' confirms that tree protection measures during decommissioning will follow the 'industry standard' process of conducting a tree survey and Arboriculture Impact Assessment/Arboricultural Method Statement (ArbMS) in line with BS 5837:2012 or subsequent Update. This process is to be undertaken ahead of any decommissioning works that will	Section 2.1 of the Outline Decommissioning Environmental Management Plan (oDEMP) [updated alongside this submission] sets out the activities that would be carried out during decommissioning. The Applicant does not control what happens after decommissioning, as this becomes a matter for the landowner. The Applicant's position is that: post decommissioning, planning and environmental law will still apply to the land that is currently in the Order limits. By the time the Proposed Development is decommissioned, habitats would be well established, and any change by the landowner would have to account for policy and legal considerations. For example, the Bird Mitigation Area would be functionally linked land, meaning that any change to it would involve having to achieve a positive HRA conclusion. - the Development Consent Order is linked to the undertaker (save for any transfer of benefit undertaken) and does not 'run with the land' like a typical planning permission. Any enforcement action can therefore only be taken against the undertaker, not any third party; - once the Proposed Development is decommissioned, there is no 'development' that is causing impacts and requires mitigation. It would not be appropriate for a DCO to impose restrictions on land where development is no longer in place There is no precedent for any DCO imposing obligations on landowners post decommissioning, noting that this was a subject extensively debated on the Sunnica solar DCO. As such, it would not be appropriate for the DCO to impose such obligations on landowners.

Reference ID	Theme(s)	Comment	Applicant Response
		set out the measures to be followed to minimise tree loss or damage. Works in close proximity of retained trees will follow the current best practice, defined in BS 5837:2012 Trees in Relation to Construction (or subsequent update).	
LIR-NYC-20	Landscape and Visual	(10) Alignment of the Outline Landscape and Ecological Management Plan with the Local Nature Recovery Strategy (LNRS) The Council considers that the OLEMP provides a generally appropriate framework for landscape and visual enhancement and long-term management. It contains a range of measures likely to deliver landscape and multifunctional green infrastructure (GI) benefits, including hedgerow planting, grassland creation, ditch management, woodland and scrub planting and long-term management prescriptions. The Council considers that there is opportunity for the OLEMP to be strengthened in terms of alignment with the North Yorkshire and York Local Nature Recovery Strategy (LNRS). This alongside confirmation of green infrastructure multifunctional benefits (or benefits from nature) arising from the creation and management prescriptions in the OLEMP. Further, the document should be more explicit about which prescriptions align with the LNRS overarching priorities and the priorities in the seven 'habitat' categories and their associated measures (actions). The LNRS Local Habitat Map is clear that measures (actions) can be undertaken across the geography of North Yorkshire and York and not just focussed on the LNRS strategic nature network.	The Outline Landscape and Ecological Management Plan (oLEMP) [updated alongside this submission] provides further detail with regards to the LNRS. The Order Limits are wholly located within the Local Nature Recovery Strategy (LNRS) for North Yorkshire and York. Consulting the LNRS mapped measures layer, there are only very discrete areas where mapped measures overlap the Solar Development Sites. There is a small area within Site 7 (0.4 ha) listed in mapped measures as "Enhance, expand and connect areas of fragmentary fen by improving management of existing sites and using species-rich ditches to connect sites." However, the habitat covered by this measure comprises cropland surrounded by railway lines and further cropland, so it is not possible to satisfy this aim for lowland fen in this location. General aims and objectives of the LNRS, will however be considered when detailed landscape and planting plans are completed. Mapped measures within the LNRS do however overlap the Cable Route Corridor, although there will be no long-term ownership of the Cable Route Corridor, which will be passed back to the current landowners after the temporary works are completed. As such, habitats are not able to be restored or created within the Cable Route Corridor; however, the baseline habitats will largely be reinstated.
LIR-NYC-21	Landscape and Visual	The Council considers that the application provides a broadly comprehensive landscape and visual assessment and that the draft DCO includes the principal mechanisms required to secure landscape mitigation and associated elements such as means of enclosure, signs, interpretation boards or any other information display boards.	The Applicant notes this comment.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-22	Landscape and Visual	The key landscape-related requirements under Schedule 1 – Authorised Development are Work No. 6 clauses (a - fencing, gates, boundary treatment and other means of enclosure), (c - landscaping and biodiversity mitigation and enhancement measures including planting), (f - temporary footpath diversions, signage and information boards), (i – acoustic barriers); Work No. 9 (9A & 9B) – works to create and maintain green infrastructure, Work No. 10 (10A & 10B) – creation of permissive paths.	The Applicant notes this comment.
LIR-NYC-23	Landscape and Visual	The key landscape-related requirements are under Schedule 2 (Requirements) Requirement 6 – Landscape and ecological management plan; Requirement 12, securing the Construction Environmental Management Plan; Requirement 13, securing the Operational Environmental Management Plan; and Requirement 19, securing the Decommissioning Environmental Management Plan.	The Applicant notes this comment.
LIR-NYC-24	Landscape and Visual	Under Requirement 6, no part of the authorised development may commence until a written landscape and ecological management plan (LEMP) has been submitted to and approved by the relevant planning authority. As part of the LEMP, clarification will be required on the scoping and frequency of auditing/monitoring visits and subsequent reporting and sign off by the Council on this matter.	The Applicant notes this comment.
LIR-NYC-25	Landscape and Visual	On a related matter, the mechanism for approval of the detailed landscape proposals arising from the Outline Environmental Masterplans (1:2,500 scale) needs to be confirmed with the Council.	The Outline LEMP [updated alongside this submission] makes clear at paragraph 1.2.7 that Figure 3.1: Outline Environmental Masterplan (ES Volume 2) [EN0110012/APP/LVS/02.12] is an illustration of how the mitigation and enhancement commitments and outcomes set out in the ES could be delivered. The detailed LEMP(s) will include an updated version of the environmental masterplan for each Solar Development Site, setting out the detailed design of the Proposed Development in a way which delivers the commitments and outcomes set out in the ES.
LIR-NYC-26	Landscape and Visual	Under Requirement 9, clarification for the process for the approval of fencing, gates, boundary treatment and other means of enclosure, including acoustic barriers also needs to be confirmed with the Council.	The Applicant refers the Council to the draft Development Consent Order [updated alongside this submission] Schedule 16 which sets out the procedures for discharge of requirements including amongst others, timescales for decision making (six weeks), process for managing requests for further information and clarifications, and application of fees for applications to the relevant planning authority.
LIR-NYC-27	Landscape and Visual	In relation to public rights of way and permissive paths, the Council requires clarification for the process for the approval of signs, interpretation boards or any other information display board.	The Outline LEMP [updated alongside this submission] makes clear at paragraph 4.8.9 that the final detail of all permissive paths including signage, surfacing and widths will be agreed in advance with North Yorkshire Council as part of approval of the detailed LEMP(s). The Outline Public Rights of Way Management Plan [APP-199] which confirms details of signage to deal with impacts during the construction stage will be outlined in the detailed plan Public Rights of Way Management Plan secured by Requirement 16.
LIR-NYC-28	Landscape and Visual	The Council considers that the practical arrangements for the review of monitoring information and approval of details, with the recovery of reasonable costs associated with discharging these functions, may warrant further consideration during Examination.	The Applicant remains open to a discussion on this point and how this can be reflected in the Management Plans, but notes that in complying with the measures in the relevant outline management plans, it will by definition need to meet the associated costs of them.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-29	Landscape and Visual	North Yorkshire Council post hearing submissions: any specific responses to actions or points raised in oral submissions at the hearings during week commencing 27 July 2026, ISH-35 [REP1-007].	The Applicant welcomes NYC's post hearing submission in response to ISH-35, regarding the ExA's request to the Applicant to provide further detail on the key characteristics and special qualities of affected landscape character areas that would experience the greatest change as a result of the Proposed Development. The Applicant responded to this request in Written Summary of Applicant's Oral Submissions at ISH1 [REP1-004]. Reference is made to the key sensitivities outlined in the Selby Landscape Character Assessment, 2019. Section 3 of that document sets out the good practice guidance that was current at the time but has subsequently been superseded, namely: • Countryside Agency and Scottish Natural Heritage (2002) Landscape Character Assessment: Guidance for England and Scotland. • Countryside Agency and Scottish Natural Heritage (2004) Topic Paper 6: Techniques and criteria for judging landscape sensitivity and capacity. Natural England's approach to landscape sensitivity assessment was published in 2019 and is more closely aligned with GLVIA3, which is the approach that forms the principal source of guidance for the methodology set out in ES Volume 3 - Appendix 10.1 Landscape and Visual Assessment Methodology [APP-167]. This makes distinctions between the value attached to the landscape, which is part of the baseline and independent of the Proposed Development and susceptibility to change, which is a consideration of the ability of the landscape to accommodate the proposed development without undue consequences for the maintenance of the baseline situation and/or the achievement of landscape planning policies and strategies. Paragraph 5.41 of GLVIA3 states that "<i>the assessment may take place in situations where there are existing landscape sensitivity and capacity studies, which have become increasingly common. They may deal with the general type of development that is proposed, in which case they may provide useful preliminary background information for the assessment. But they cannot provide a substitute for the individual assessment of the susceptibility of the receptors in relation to change arising from the specific development proposal.</i>" Care must therefore be taken in applying the findings of assessments which assess inherent sensitivity, because they do not account for how different types of development may interact with the landscape, independent of an assessment of its value. Furthermore, they do not explicitly consider the achievement of landscape planning policies and strategies, which in the case of solar farm development can mean substantial contributions to green infrastructure and nature recovery, for example. The detail of this approach was clarified by the Landscape Institute in point 5(4) of Technical Guidance Notes (TGN) 01/24 Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3), published in 2024.

Reference ID	Theme(s)	Comment	Applicant Response
			The Applicant has carried out a comprehensive and robust assessment of landscape sensitivity which applies current best practice and which draws upon existing evidence, including the key characteristics set out in the Selby Landscape Character Assessment, 2019. NYC sets out a brief summary of the content of the LVIA methodology set out in ES Volume 3 - Appendix 10.1 Landscape and Visual Assessment Methodology [APP-167] . At the end of this statement, NYC confirms that the content and outputs of Appendix 10.1 (Methodology), Appendix 10.2 (Baseline and Effects) and Chapter 10 broadly align with GLVIA3 but considers that in certain cases the Applicant has not sufficiently assessed the potential effects on landscape character caused by the Proposed Development giving the assessment of Site 2 is one example of this (see response to LIR-NYC-13 above). The Applicant continues to engage with NYC to understand what other areas of the assessment the Council considers have not been sufficiently addressed in the LVIA.
LIR-NYC-30	Cultural Heritage	Clarification of submitted documents The submission includes an Environmental Statement Chapter on Cultural Heritage (Chapter 8) assesses the impact of the proposal on above ground heritage assets. The Cultural Heritage Chapter is supported by a Cultural Heritage Baseline (Appendix 8.1) and Gazetteer (Appendix 8.2) which include designated heritage assets and their designation status. It is noted that the non designation status refer to land form and not built form. Maps (volume 2 8.1 Designated Heritage Assets) have been produced which have plotted the Order Limits, study area for solar sites, study area of cable route, listed buildings, scheduled monuments, conservation areas and registered parks and gardens. It is noted that the Cultural Heritage Baseline and Gazetteer have been used to produce Statements of Significance and Impact Assessments (Appendix 8.5) for each identified site. The assessment of setting and the contribution of that setting to the cultural significance of heritage assets impacted is presented in 8.9 of Chapter 8 and the contribution made by setting to heritage assets is provided in appendix 8.5 of the Statement of Significance (volume 3).	The Applicant notes this comment.
LIR-NYC-31	Cultural Heritage	There are no Conservation Areas within the Order Limits by virtue of the cable route and solar construction, it is recognised that the boundary of the Order Limit is close to Escrick and Monk Fryston Conservation Areas.	The Applicant notes this comment.
LIR-NYC-32	Cultural Heritage	Comments are noted in section 1 of Appendix 8.2 Cultural Heritage Gazetteer (Reference EN0110012/APP/LVS/06.03.08.02 (8863; 496 page 10 and 8869 page 11)) that the agents have found difficulty in accessing these documents and did not seek to gain them from the Council, however they can be provided to the Inspector if desired	The Applicant is grateful to the Conservation Officer at North Yorkshire Council for the provision of information regarding the Conservation Area Appraisals for Monk Fryston and Escrick. <i>Regarding Action ISH1-39 within Action Points from Issue Specific Hearing 1 (ISH1) [EV5-010]:</i>

Reference ID	Theme(s)	Comment	Applicant Response
			As set out within out Chapter 8: Cultural Heritage of the Preliminary Environmental Impact Assessment [updated alongside this submission], in the absence of an adopted Conservation Area appraisal at the time of assessment a statement of significance was provided within Environmental Statement Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP-165]. This concluded that <i>'the internal setting of the conservation area is the principal setting of all listed buildings located within it with the external setting contributing elements of associative function (such as for farming). Both the internal and external settings of Escrick Conservation Area contribute to its heritage interests and those of the buildings and original village layout and form that survive and remain legible within it, respectively'</i>. The assessment also noted that the southern extent of the Conservation Area is dominated by the designed landscape of Escrick Park, which extends beyond the Conservation Area's southern boundary. The Impact Assessment concludes that <i>Escrick Conservation Area is located approximately 275m west of the Order Limits at its closest point and will not receive any physical impact(s). Its close proximity to the Order Limits may result in increased traffic during construction of the Proposed Development, which may cause temporary impacts from moving plant, light and noise. The form and composition of the intervening landscape, which includes heavily wooded borders, means that during operation, the solar panels within the Proposed Development would not be visually or audibly perceivable, except as glimpsed views from the very eastern edge. As planned mitigation includes increased planting along the northern edge of the Order Limits, the potential for these glimpsed views will be limited. There would, therefore, be only a minor adverse impact to internal or external setting.</i> Monk Fryston Conservation Area appraisal is now available to review online via the North Yorkshire Council's website (April 2023 Monk Fryston conservation area appraisal). The Conservation Area appraisal includes references to key views extending from the south of the village including medieval toft and croft boundaries, boundary walls and mature trees, and open agricultural land. The Proposed Development will not impact these elements which contribute to the significance of the Conservation Area due to their distance and location relative to the Order Limits. The Review of the Monk Fryston Conservation Area appraisal has not highlighted any additional elements which would change the assessment of significance summarised above or alter the outcome of a minor adverse significance of effect.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-33	Cultural Heritage	A total of 130 designated heritage assets were identified within the Study Area which have been identified within page 42 of Chapter 8 (Cultural Heritage Reference: EN0110012/APP/LVS/ 06.01.08). It is noted that the only listed structure within the Order Limit is a Grade II listed Milestone approximately 0.5 miles east of Junction with Lowfield Road along the southern verge of the A63 corridor. [Site 2 NHLE 1148541]. It is further noted that within the Order Limit of site 2 there is the proposed siting of BESS along the A63 corridor. Concerns have been raised by the Council's Landscape Architect on this matter.	The Applicant acknowledges this comment. The comments by the Council's Landscape Architect, including in relation to the BESS on SDS2 and the A63 corridor, are addressed in Ref ID LIR-NYC-13.
LIR-NYC-34	Cultural Heritage	The proposed scheme extends across the administrative boundaries of Leeds City Council and North Yorkshire Council and has been assessed within Appendix 8.5 (Statement of Significance and Impact Assessment). For heritage assets located within North Yorkshire Council's area, the assessment concludes that impacts on setting would result in either less than substantial harm or a neutral effect. The duration of any identified harm is dependent upon the nature of the works, with some effects being temporary during construction and others resulting in permanent changes to setting.	The Applicant notes this comment.
LIR-NYC-35	Cultural Heritage	The applicants have demonstrated, wherever appropriate, that they have considered the wider setting of buildings. This has been provided in Chapter 8 Cultural Heritage and Statements of Significance and Impact Assessments Appendix 8.5.	The Applicant welcomes the acknowledgement that the setting of heritage assets has been considered adequately within the assessment.
LIR-NYC-36	Cultural Heritage	Paragraph 8.9.6 and subsequent paragraphs of Chapter 8 explore the rationale for limited mitigation measures required for assets. The mitigation measures in this chapter is a little confusing as further mitigation measures are also covered within Appendix 8.5 Statements of Significance and Impact Assessment.	Embedded mitigation measures are set out Section 8.8 of Environmental Statement Volume 1 Chapter 8 - Cultural Heritage [updated alongside this submission] and selectively summarised within the introduction to Environmental Statement Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP-165] . All assessments within the Impact Assessment are made on the basis of embedded mitigation set out within Section 8.8 of ES Volume 1 Chapter 8 - Cultural Heritage [updated alongside this submission] only. Additional mitigation is discussed in Section 8.10 of ES Volume 1 Chapter 8 - Cultural Heritage , and is not referenced within ES Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment .
LIR-NYC-37	Cultural Heritage	As part of the mitigation measures identified it is noted that landscaping schemes as identified in the Outline Landscape and Ecological Management Plan (Ref EN0110012/APP/LVS/07.05) have set out planning, management and monitoring of a Landscape Ecological Management Plan with a detailed version feeding into the Development Consent Order. In relation to the proposed solar array and Battery Energy Storage System (BESS), it is considered that further examination of the proposed mitigation measures should be undertaken during the Examination process. In particular, additional scrutiny is recommended regarding the design, specification and effectiveness of the proposed planting and landscaping measures intended to mitigate effects on heritage asset settings and landscape character. These matters fall within the specialist remit of the Landscape Architect, whose detailed assessment and commentary should inform consideration of the adequacy of the proposed mitigation.	The Applicant notes this comment and that all comments by the Landscape Architect have been responded to in this document.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-38	Cultural Heritage	The proposal has assessed the potential effects on built heritage assets through the suite of documents referenced above, giving due regard to the significance of above-ground heritage assets, the contribution made by their settings to that significance, and the likely impacts arising from the proposed scheme. The documents have identified the nature and degree of effect on individual heritage assets and evaluates the resulting level of harm in the context of their significance. Where impacts have been identified, these have been considered taking account of both the importance of the asset and the contribution of its setting to its heritage value in line with national policy.	The Applicant welcomes the acknowledgement that the assessment is considered to have given due regard to the significance of above-ground heritage assets and the contribution made by their setting to this significance, and that this is considered to be in line with national planning policy.
LIR-NYC-39	Cultural Heritage	Whilst a range of mitigation measures has been incorporated into the Proposed Development with the aim of reducing adverse effects, it is acknowledged that some residual harm to the setting of certain heritage assets would remain. This harm is assessed as less than substantial and must be weighed against the public benefits of the proposal. Notwithstanding these impacts, the Proposed Development has been designed to avoid harm to designated heritage assets of the highest significance.	The Applicant welcomes the acknowledgement that the Proposed Development has been designed to avoid harm to designated heritage assets of the highest significance. Where possible, harm has been minimised through the design measures set out within the Outline Environmental Masterplan [updated alongside this application]. As noted within comment LIR-NYC-69, this harm is considered to be less than substantial, with no significant effects on above-ground heritage assets identified within Environmental Statement Volume 1 Chapter 8 - Cultural Heritage [updated alongside this application].
LIR-NYC-40	Archaeology	The area is known to have a rich archaeological resource, particularly for later prehistoric and Roman settlement and high-status medieval occupation including moated sites. Solar development can have a direct physical impact on below ground archaeological remains through traditional construction related activities including temporary compounds, energy generating stations, battery storage and open cut cable connections. The solar arrays also have an impact as they are typically mounted on a piled or screwed frame that would cause localised damage but with a cumulative impact over an extensive landscape.	The Applicant notes this comment and notes that it has been put in place appropriate mitigation measures.
LIR-NYC-41	Archaeology	The proposal could also have an impact on the setting of Scheduled Monuments and undesignated heritage assets of archaeological interest within the wider environs of the project.	The Applicant acknowledges the potential for the Proposed Development to result in changes within the setting of Scheduled Monuments and other undesignated heritage assets within the Study Area. Potential impacts are set out within Environmental Statement Volume 1 Chapter 8 - Cultural Heritage [updated alongside this application] and Environmental Statement Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP-0165]. Scheduled monuments within the Study Area comprise: • Danes Hill Square Barrow cemetery on Crook Moor [NHLE 1016619] • Thorpe Hall Moated Monastic Grange [NHLE 1017460] • World War II Bombing Decoy Control Building 270m south of Scalm Park Cottages [NHLE 1020499] • Steeton Hall Medieval Magnates residence and Manorial Centre [NHLE 1015504]

Reference ID	Theme(s)	Comment	Applicant Response
			Temporary construction impacts will occur as a result of works in the vicinity of Thorpe Hall, with Danes Hill Square Barrow Cemetery and the World War II Bombing Decoy experiencing minor or negligible impacts as a result of changes in their setting. No significance of effect greater than Minor Adverse is anticipated as a result of the Proposed Development. Steeton Hall will experience no impacts.
LIR-NYC-42	Archaeology	The proposed archaeological fieldwork mitigation for the project affords opportunities to advance our understanding, particularly of the later prehistoric periods and how the people of the Iron Age interacted with the Romans and their culture. There are opportunities to inform the public of this work and to engage them directly with it.	The Archaeological Mitigation Strategy [updated alongside this application] sets out where the Proposed Development has the potential to contribute to strategic research priorities as identified in the Yorkshire Archaeological Research Framework: Research Agenda, South Yorkshire Historic Environment Research Framework, and West Yorkshire Research Agendas (Section 4.2). The Archaeological Mitigation Strategy also sets out a commitment to the development of a programme of public engagement during the archaeological mitigation and post-excavation stages (Section 10.7) to ensure that any findings from archaeological mitigation are reported back to local communities.
LIR-NYC-43	Archaeology	Although there are some acknowledged gaps in coverage of the geophysical survey (Chapter 8; paragraph 8.6.1, point 5) the assessments are otherwise comprehensive and represent a proportionate examination of the significance of the archaeological resource and the impact of the proposal upon this. The identified gaps in the geophysical survey are currently being addressed.	The Applicant notes this comment. The Archaeological Mitigation Strategy [updated alongside this application] also sets out a contingency for archaeological monitoring in the event that any outstanding areas of the Cable Route Corridor are unable to be subject to geophysical survey prior to development (Section 7.6).
LIR-NYC-44	Archaeology	The geophysical survey has allowed two forms of embedded mitigation to be designed into the Proposed Development. Several large areas have been entirely designed out including anomalies consistent with a later prehistoric and/or Roman linear settlement along the northern edge of Site 1 (GS_S1_1 to 6, 8 to 9, and 11 to 13 on Figure 8.4, Sheets 4 and 5), and coherent complexes of nucleated settlement to the south of Site 6 (GS_S4_5 to 6 and 8 to 9 on Figure 8.4, Sheet 17).	The Applicant notes this comment.
LIR-NYC-45	Archaeology	Other, more discrete areas within the solar arrays are to have impact mitigated through the use of surface mounting options rather than piled frames to avoid ground disturbance. These sites include two medieval moats near Birkin (GS_S4_1 and 2, Figure 8.4, Sheet 17) and several areas of Romano-British occupation (e.g. GS_S1_14, Figure 8.4, Sheet 5). I support the embedded mitigation proposals.	The Applicant welcomes the support of the Local Authority for the embedded mitigation relating to archaeological assets within the Order Limits.
LIR-NYC-46	Archaeology	The proposed archaeological mitigation also indicates areas where recording deposits in advance of, or during, development would be appropriate. I can confirm that this is also an acceptable approach and that those areas proposed for this type of mitigation are not of such significance that physical preservation is necessary.	The Applicant welcomes the support of the Local Authority that the mitigation measures for the recording of archaeological deposits in advance of, or during, development are acceptable.
LIR-NYC-47	Archaeology	The assessments identify four Scheduled Monuments within proximity of the site. Three of these are at some distance and I agree that this distance and intervening screening means that there is no impact. The site at Thorpe Hall is adjacent to the cable connection but there is no direct physical impact and I agree that the impacts on setting would be limited to the construction period and therefore temporary and not significant.	The Applicant notes this comment.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-48	Archaeology	The embedded mitigation is set out within the application and also within the Outline Construction Environment Plan. The specific agreement of the embedded mitigation on an area by area basis could form an additional requirement of the DCO.	The Applicant notes this comment.
LIR-NYC-49	Archaeology	The requirements for further mitigation by archaeological recording in advance of or during development is set out in an Archaeological Mitigation Strategy (EN0110012/APP/LVS/07.11). I am pleased to see that Research Aims (section 4) feature prominently in the document and can also confirm that it cites the correct Standards and Guidance (section 5).	The Applicant notes this comment.
LIR-NYC-50	Archaeology	There is one significant typographic error in the document under section 7.5.17 where bullet point 6 states that a 0% sample excavated sample will be taken of all linear features, up to 5m in length. The correct industry standard is 20%.	The Applicant acknowledges this and will correct this erratum in the updated Archaeological Mitigation Strategy [updated alongside this submission] .
LIR-NYC-51	Archaeology	The Archaeological Mitigation Strategy includes a section on Public Engagement (section 10.7). I support the consideration of public engagement and feel that the most beneficial aspects of this would be direct volunteering opportunities and work experience with the local community (section 10.7.3).	The Applicant acknowledges this comment. The programme of public engagement (Archaeological Mitigation Strategy [updated alongside this submission], Section 10.7) will consider the feasibility of a range of public engagement activities as part of the wider project programme. Current ClfA Policy Statements (2024; ClfA-Policy-Statements 2024.pdf) note that health and safety, public liability or commercial confidentiality considerations may dictate the form of engagement that is possible. They also state that there is an expectation that commercially funded excavations will utilise appropriately paid, contracted staff and that volunteers should not be used as a replacement for the former. The excavations will be undertaken as commercially tendered projects by an archaeological contractor, meaning that opportunities to participate on site are likely to be heavily constrained by the factors outlined above. However, there may be opportunities for volunteering to occur in a post-excavation capacity which will be explored during the development of the public engagement programme.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-52	Transport and Access	Access Junction Proposals Visibility splay analysis for the proposed site access junctions is contained in Annex B of the TA (EN0110012/APP/LVS/06.03.14.01. Version 1.0 dated February 2026), this material has been reviewed and the following local issues identified: • Site 1, Junction 2 – there is hedges and potentially woodland within the visibility splay. It is assumed that these would be removed / modified, this should be confirmed. • Site 2, Junction 1 – no comments at this stage. • Site 2, Junction 2 – there is hedges within the visibility splay. It is assumed that these would be removed / modified, this should be confirmed. • Site 3, Junction 1 – part of the visibility splay may fall outside the red line and existing highway extents. • Site 4, Junction 1 – part of the visibility splay may fall outside the red line and existing highway extents. • Site 4, Junction 2 – part of the visibility splay may fall outside the red line and existing highway extents. There are trees in the visibility splay it is assumed that these would be removed / modified, this should be confirmed. • Site 4, Junction 3 – there are trees in the visibility splay it is assumed that these would be removed / modified, this should be confirmed. • Site 4, Junction 4 – no comments at this stage. • Site 6, Junction 1 – no comments at this stage. • Site 6, Junction 2 – no comments at this stage. • Site 7, Junction 1 – there is a hedge within the visibility splay. It is assumed that this would be removed / modified, this should be confirmed. • Site 8, Junction 1 – unable to check at this stage (no street view). • Site 8, Junction 2 – there is hedges within the visibility splay. It is assumed that these would be removed / modified, this should be confirmed. • Site 8, Junction 3 – unable to check at this stage (no street view).	The Applicant acknowledges this comment. The majority of accesses to the Solar Development Sites utilise existing vehicular access points, for which use by large agricultural vehicles is established. Nevertheless, visibility splays have been identified at each access location into the Solar Development Sites in accordance with the desirable minimum standards set out in the Design Manual for Roads and Bridges (DMRB), and the Order Limits have been extended where necessary to encompass the required sightline distances. This approach ensures that the Applicant has the ability to manage vegetation and remove any obstructions within the visibility splays. It is, however, also anticipated that temporary traffic management measures may be required during the construction phase. Alongside suitable construction warning signage, these measures could include temporary speed limit reductions where appropriate. The need for any temporary traffic management measures, including the placement of traffic signs, would be agreed with the Local Highway Authority prior to the commencement of construction. This is secured in section 20 of the outline Construction Traffic Management Plan [updated alongside this submission].

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-53	Transport and Access	Construction Traffic Routing Site 1 Site 1 is located to the southwest of Escrick and it is assumed that it proposed to provide two construction routes; one for HGVs and one for other vehicles (this should be clarified). HGVs would travel to and from the site via the A19 Crocky Hill signalised junction and Wheldrake Lane (which fall within the City of York area). Wheldrake Lane is subject to a 7.5t weight limit. The use of this route avoids vehicles travelling through Escrick, which is considered suitable in principle (subject to considering detailed topics). There is a tight manoeuvre required at the junction of Wheldrake Lane / Main Street, which does not appear to have been considered by the swept path analysis contained in Annex B of the TA. The swept path analysis also shows a 16.5m long articulated lorry following the 'blue access route', the use of this route should be confirmed.	The Applicant acknowledges these comments. Both Skipworth Road and Wheldrake Lane, which provide access to Solar Development Site 1 from the A19, are subject to environmental weight limit restrictions. This restriction prohibits use by Heavy Goods Vehicles (HGVs) over 7.5 tonnes, except for access. An optioneering review was undertaken to assess a range of operational, environmental and highway considerations. This concluded that access via Wheldrake Lane represented the preferred construction route, as it was considered likely to result in fewer environmental effects than the alternative options. The review also concluded that any residual impacts could be appropriately mitigated. Accordingly, Wheldrake Lane has been identified as the primary construction access route for Solar Development Site 1 and will be the signed route for construction access. Notwithstanding this, recognising the practical limitations in enforcing construction worker vehicle routing, the Transport Assessment [updated alongside this submission] assigned construction worker traffic travelling by car to the route via Skipwith Road through Escrick Village. This enabled an assessment of the potential effects of the Proposed Development on this route. The Wheldrake Lane / Main Street junction forms part of the existing public highway network and is subject to no movement restrictions. As an established junction, used daily by HGVs, it can be concluded that it can accommodate standard HGV movements. Baseline traffic data indicates that the section of Wheldrake Lane serving the access to Solar Development Site 1 experiences an average of 56 HGV movements per day. North of the Main Street junction, existing HGV flows are higher, averaging approximately 92 movements per day. This demonstrates that the route is already utilised by HGV traffic. Drawing Number EN0110012/APP/LVS/06.03.14.B.T001_1 within the Transport Assessment [updated alongside this submission], which illustrated the swept path analysis of an HGV arriving from and departing to the west, has been removed from the documentation. It is confirmed that HGVs will access and egress the site from the east via Wheldrake Lane, and therefore the swept path assessment associated with movements to and from the west is no longer required.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-54	Transport and Access	Construction Traffic Routing Site 2, 3, 6, 7, and 8 Sites 2, 3, 6, 7 and 8 would be accessed by all day-to-day construction traffic via the A63, which connects the A1 to A19.12.7 Site 2 would be accessed directly from the A63; construction traffic would be required to pass through the villages of Monk Fryston and Hambleton. However, they are located on an A road that has a HGV proportion of approximately 10% (1,000 vehicles ADT). As a result, this route is considered suitable. Site 3 would be accessed via the A63, Austfield Lane and Hillam Common Lane. Austfield Lane does not benefit from a centre line and is therefore assumed to be an average width of less than 5.5m. The ability for two HGVs to pass and any necessary widening should be confirmed. It's noted that Arup Drawing EN0110012/APP/LVS/06.03.14.B.T003_1 shows a 16.5m articulated lorry originating from Hillam rather than the indicated access route. Site 6 and Site 7 would be accessed via the A63, A162 York Road and Common Lane (U1307/2/30). Common Lane narrows to the east of the railway bridge without a centre line and is therefore assumed to be an average width of less than 5.5m. The ability for two HGVs to pass and any necessary widening should be confirmed. Site 8 would have three potential access routes: a) The same as Site 6 and Site 7 then via B1222 Bishopdyke Road and Scalm Lane. b) The A63 via a private farm track to the east of Hambleton. c) The A63 via Common Lane. Routes a and b are considered suitable in principle (subject to considering detailed topics). Common Lane does not have a centre line and is therefore assumed to be an average width of less than 5.5m. The ability for two HGVs to pass and any necessary widening should be confirmed.	The Applicant acknowledges these comments. Whilst Austfield Lane does not have centre line markings, it benefits from good forward visibility and currently provides access to existing businesses and properties. Baseline traffic data collected in 2025 showed Austfield Lane was used on average by over 800 vehicles a day (approx. 28 of which are HGVs). The Proposed Development would result in a temporary 3% increase in overall traffic, but the forecast 15 HGV trips associated with the Proposed Development would increase HGV trips by 52%. The Applicant considers that this temporary increase can be managed – and would point to the precedent set by the Hillam Grange Solar development which also proposes the use of Austfield Lane and proposes the use of temporary passing places within the highway boundary to facilitate construction movements (planning application reference 2023/1271/FULM). The need for any temporary traffic management measures, including the provision of passing places (which will be able to be located within the highway boundary), would be agreed with the Local Highway Authority prior to the commencement of construction. Drawing Number EN0110012/APP/LVS/06.03.14.B.T003_1 in the Transport Assessment [updated alongside this application] has been updated to show an HGV accessing Solar Development Site 3 via Austfield Lane, and not via Hillam, as previously shown. Given the rural nature of the area, many of the construction routes are narrow in sections. Subsequently, a number of stretches of highway where passing places will be needed have been allowed for within the Order Limits, with final positions within those stretches of highway will be identified by the contractor and agreed with the Local Highway Authority when the detailed Construction Traffic Management Plan is approved. These Highway Improvement Areas, which include both roads referred to as Common Lane (serving Site 6, 7 and 8), are shown on Figure 1.2 [APP-058].
LIR-NYC-55	Transport and Access	Construction Traffic Routing Site 4 Site 4 would be accessed from the A19 via Mill Field Road, Birkin Road, Haddlesey Road and Roe Lane. Construction traffic would pass through the villages of West Haddlesey and Birkin. Vehicles would need to pass over Tankards Bridge, which is a Grade II Listed (Ref: 1316360) humped back bridge. It is unclear if this has been considered. It should be confirmed if the option of the construction of a haul road	The Applicant notes this comment and confirms that the construction access strategy was developed following consideration of operational, environmental and highway factors. The route selection process included design workshops, site visits and engagement with North Yorkshire Council's highways team to identify any routes that may be unsuitable for construction traffic. The route through West Haddlesey was assessed and considered suitable based on existing traffic conditions, with baseline surveys demonstrating that it already accommodates HGV traffic. The route benefits from footways on at least one side of the carriageway, providing separation between

Reference ID	Theme(s)	Comment	Applicant Response
		through Site 4 was considered as this would reduce the need for HGVs to pass through Birkin.	pedestrians and vehicles. At Tankards Bridge, where the carriageway narrows, good forward visibility allows drivers to identify and respond appropriately to oncoming vehicles. Solar Development Site 4 has access points on its western and southern boundaries and construction routes serving both these access locations. This should discourage traffic from travelling through Birkin. Vehicles approaching from the north are expected to use the construction routes to access the western accesses, while those approaching from the east would be expected to use construction routes from the east to access the southern access. There are no proposals for a dedicated haul road through the site. However, the Outline Environmental Masterplan [APP-016] illustrates a network of internal access tracks connecting the various parts of the site, which can be utilised by construction traffic to reduce traffic through Birkin. However, the Transport Assessment [updated alongside this submission] does not discount the potential for construction traffic to use the public highway network through Birkin and therefore includes these trips within the assessment to ensure a robust assessment of potential impacts. In response to ISH1-15 in Action Points from Issue Specific Hearing 1 (ISH1) [EV5-010], the Applicant has provided further details on the access route selection process for Solar Development Site 4 as part of the construction access strategy. The review is presented in Appendix B of Written Summary of Applicant's Oral Submissions at ISH1 [REP1-004] and concludes that the selected route via West Haddlesey was assessed to be the most appropriate eastern access route for construction traffic, subject to the controls and mitigation, which will be able to be considered with NYC, secured through the final CTMP.
LIR-NYC-56	Transport and Access	A162/A63 Roundabout The A162/A63 roundabout to the west of Monk Fryston is known to be over capacity. The proposed development's interaction with this roundabout will need to be considered and a suitable mitigation strategy implemented.	The Applicant acknowledges this comment. The Transport Assessment [updated alongside this submission] shows that the construction trips generated by the Proposed Development would be a small proportion of the future baseline traffic flows, and a small proportionate increase when compared with the trips that are forecast to be generated by other nearby developments. That said, mitigation in the Outline Construction Traffic Management Plan (oCTMP - [updated alongside this submission]) includes measures to manage construction vehicle arrival and departure times to avoid the highway network peak hours, which will minimise the magnitude of any cumulative impact at the A163/A162 roundabout. Furthermore, the construction phasing of all the committed developments will be considered when updating the CTMP prior to construction, to ensure that the construction routing of traffic associated with the Proposed Development will not have an unacceptable cumulative effect on local traffic conditions.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-57	Transport and Access	Cable Routes The road classifications have been accurately presented and agree with the records presented on NYC's internal mapping software. It's noted that some of the 'roads' do not appear on NYC's mapping and are assumed to be private (e.g. farm tracks), it's recommended that this distinction is made in the application documents to ensure there is clarity over which are NYC assets. All the A roads identified are proposed to be crossed via trenchless means in accordance with NYC's preference. HV_SE5934_001 is proposed to cross the B1223 (Wistow Road) as open cut or trenchless, which does not meet NYC's preference and should be reviewed. From an initial review, all the points where the cable route is expected to cross NYC roads have been identified in the schedule	The Applicant notes this feedback. Where private access tracks are used, these are shown on the Street Plans [APP-011]. The Cable Route Method Statement [APP-147] notes that the construction methods (open trench and trenchless technologies) will not be confirmed until the detailed design stage. However, there is a commitment to avoidance areas where trenchless solutions will be used. In other locations, at this stage, open cut technologies have been assessed to provide a worst case assessment.
LIR-NYC-58	Transport and Access	Cable Route Access Junctions To facilitate access to construct the cable route, a number of 'Cable Access Locations' are presented in the application documents. It is assumed that many of these will be vehicle access points to / from the highway. It is understood that these will fall into three categories: • Construction phase only. • Construction and operational phase • Operational phase only. It does not appear that any assessment of these junctions has been undertaken within the TA material (such as visibility splay analysis). Further clarification and assessment of this matter should be provided.	The Applicant notes this comment. Table 4-2 of the Transport Assessment [updated alongside this submission] identifies 43 proposed Cable Route Corridor access locations. Of these, 30 utilise existing highway access points, demonstrating an established precedent for vehicular use. To ensure access can be achieved, the Proposed Development's red line boundary has been extended at each access location to include the visibility splays required in accordance with the desirable minimum standards set out in the Design Manual for Roads and Bridges (DMRB). This provides the Applicant with the ability to maintain vegetation and remove any obstructions within the visibility splays during the construction period. At this stage, the application seeks to establish the feasibility of the Proposed Development rather than provide detailed engineering designs for each individual access. It is therefore more appropriate for access designs and associated traffic management measures to be developed and agreed closer to construction, alongside an updated Construction Traffic Management Plan (CTMP), which will be secured through the DCO and approved by the Local Highway Authority before construction begins. The updated CTMP will be based on the outline Construction Traffic Management Plan (oCTMP - [updated alongside this submission]) that has been submitted. The Applicant is confident that the land within the Order Limits for visibility splays, the use of existing farm accesses, the traffic management measures provided for in the oCTMP, and the requirement for the design of the accesses and traffic management to be approved by the Council before construction commences, ensures that the Cable Route Corridor accesses are all able to be safely used for the purposes of the Proposed Development. Should North Yorkshire Council identify any specific access locations where further assessment is required to demonstrate feasibility,

Reference ID	Theme(s)	Comment	Applicant Response
			the Applicant would be willing to undertake additional design development at those locations.
LIR-NYC-59	Transport and Access	Access Junction Proposals Visibility splay analysis for the proposed site access junctions is contained in Annex B of the TA. The visibility splays presented are based on speed surveys and DMRB standards, which is considered an appropriate approach. The results of the speed surveys will need to be interrogated in due course. The following general points should be noted: - The base mapping is Ordnance Survey (OS) data, which in rural areas is typically accurate to $\pm 2\text{m}$. Ideally the visibility analysis should be based on topographic survey data (even if only at key points of constraint). - Without topographic data obstructions to visibility (such as elevation, trees and other physical features) cannot be fully assessed Whilst the plans in Figure 14.4 Construction Routing provide greater clarity, the plans in the TA would benefit from the addition of road names and/or confirmation of the location presented (such as a what3words / grid reference) as they are difficult to interpret.	The Applicant acknowledges these comments. The Applicant considers the use of Ordnance Survey base mapping to be appropriate for the purposes of the current stage of design. The access drawings are intended to illustrate the proposed access strategy and demonstrate the feasibility of the Proposed Development, rather than provide detailed engineering specifications. It is acknowledged that a detailed topographic survey would be beneficial to inform more detailed access design, but such information is not required to establish the feasibility of the access arrangements presented within the application. Specific details for any alterations to the access locations would be pursuant to the powers applied for in the draft DCO [updated alongside this submission] and further details would be included in the updated CTMP to be agreed with the Local Highway Authority prior to commencement of construction and approved pursuant to Requirement 14 of Schedule 2 to the draft DCO. The plans in the Transport Assessment [updated alongside this submission] include a key plan which includes road names to aid navigation.

Reference ID	Theme(s)	Comment	Applicant Response
		Assessment of Construction Routes Swept path analysis on the proposed construction routes is contained in Annex B of the TA, the following general points should be noted: - The base mapping is Ordnance Survey (OS) data, which in rural areas is typically accurate to $\pm 2\text{m}$. Ideally the swept path analysis should be based on topographic survey data (even if only at key points of constraint). - The plans would benefit from the addition of road names and/or greater clarity of the location presented.	
LIR-NYC-60	Transport and Access	Outline Construction Transport Management Plan The oCTMP is very high level and the following emerging points of concern are noted (subject to a more detailed review in due course): - There is no reference non-motorised users (pedestrians, cyclists, and equestrians) and no commitment to ensure that risks to them are mitigated. - There is no commitment to adopt the Considerate Constructors Scheme (or similar) within the final CTMP. - There is no commitment to adopt a vehicle booking / scheduling system within the final CTMP. - There is no commitment to adopt vehicle holding / stacking areas (if required) within the final CTMP.	The Applicant acknowledges these comments. The outline Construction Traffic Management Plan (oCTMP) [updated alongside this submission] includes a range of measures that cover some of these aspects including: - The appointment of a Community Liaison Officer to lead discussions with local communities and ensure the needs of all road users are considered; - The provision of banksmen at access points to warn all road users, including pedestrians and cyclists, of the potential presence of construction vehicles; and - Timing restrictions on deliveries which are expected to be managed through a scheduling system. Any additional traffic management or site management requests, such as the commitment to adopt the Considerate Constructors Scheme, can be considered when updating the CTMP and once the contractor is known. Requirement 14 in Schedule 2 to the draft DCO [updated alongside this submission] provides for the detailed Construction Traffic Management Plan (CTMP) to be approved in consultation with the Local Highway Authority.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-61	Transport and Access	Construction Vehicle / Construction Worker Volumes Forecasts of the construction vehicle and worker vehicle generation of the Solar Development Sites and BESS are contained in Section 5.2 of the TA. The trip generation will require detailed interrogation in due course; however, the following initial comments have been identified: Paragraph 5.2.2 should be clarified. It states that HGV movements have been provided by the Applicant and then states that construction vehicle forecasts have been estimated based on comparable schemes. It is therefore assumed that LGV movements are excluded from the forecasts given in Table 5-1. Clarity on LGV volumes should be provided. Details of the comparable schemes considered should be provided. Paragraph 5.2.8 states that a worker car occupancy of 1.5 have been assumed based on the average national car occupancy rate. It is assumed that this is based on National Travel Survey data. It is noted that the most recent average commuting and business occupancy is 1.1 and the average occupancy of 1.5 is likely influenced by higher passenger ratios for education and holiday journey purposes. The assumption of an occupancy of 1.5 should be reviewed and/ or further justification provided.	The Applicant acknowledges these comments. Construction traffic forecasts were developed by the Applicant using expected quantities of construction materials and logistics requirements associated with the Proposed Development. This includes a realistic breakdown of anticipated construction activities and materials, such as aggregate and access tracks, solar modules and associated footings, fencing, excavation works and waste movements. In developing the forecasts, the Applicant also drew upon information and experience from comparable solar farm developments, including projects being progressed by the Applicant such as The Drovers and East Pye in Norfolk, Lime Down in Wiltshire, and experience developing TCPA projects (with appropriate adjustments for scale) to inform reasonable assumptions where detailed contractor information is not yet available. The forecasts take account of factors including the generating capacity of the Proposed Development, anticipated material requirements, waste excavation and the duration and phasing of the construction programme. As would be expected, a shorter or more intensive construction programme could result in a higher number of daily HGV movements, whereas a longer programme spreads deliveries over a greater period. The forecast traffic volumes have been developed using the information available at this stage of the project and anticipated programme. They represent estimated peak construction traffic flows and have been assessed on a reasonable worst-case basis for Environmental Impact Assessment purposes. They are therefore considered to provide a robust and reasonable basis for assessing the likely transport impacts of the Proposed Development. Table 5-1 of the Transport Assessment [updated alongside this submission] presents forecast HGV movements (not LGVs). The forecast LGV and staff vehicle movements are provided in Table 5-2. The car occupancy assumption was also informed by assumptions adopted in other solar DCO applications, which indicate that an average vehicle occupancy of 1.5 persons per car for construction workers is a realistic assumption for solar farm construction. This reflects the nature of construction work, where personnel frequently travel to site in crews, often from shared accommodation. Whilst the National Travel Survey indicates a lower average of 1.1 vehicle occupancy for commuting trips, construction projects typically experience higher levels of car sharing than many other employment sectors. The assumption is therefore considered realistic and proportionate. The Applicant also notes that other major infrastructure projects have adopted higher occupancies, with the nearby Drax Power Station DCO assuming two construction workers per vehicle.

Reference ID	Theme(s)	Comment	Applicant Response
			The Applicant will be responsible for ensuring that sufficient parking and welfare facilities are provided within the site boundary. Section 3.12 of the Outline Construction Traffic Management Plan [updated alongside this submission] notes that construction parking demand will be accommodated on-site and will not give rise to overspill parking or adverse effects on the local highway network. The oCTMP confirms that during construction, the Site Manager will be responsible for ensuring vehicles are parked within the designated area within each Solar Development Site and within each Cable Route Corridor compound.
LIR-NYC-62	Transport and Access	Streetworks and Permitting The following matters relating to streetworks and permitting have been noted based on experience of other similar schemes. The following should be addressed as part of the DCO process: 1. Early engagement is crucial to allow permission to be easily granted. Late engagement is difficult as others will have booked the roadspace already. 2. A schedule or programme of planned works is essential to ensure that all 100+ of works to the highway can be arranged in good time without access being prevented by other ongoing works. 3. NYC area highways offices plan widescale resurfacing works annually about 6 months in advance and these will need to be factored into permissions 4. Permission required under Highways Act include S50 for installing apparatus, S171 for trial holes and S184 for temporary access permission. 5. TTROs will be required to cover temporary traffic lights and road closures 6. Where the DCO intends to make alternative provisions for the permitting of these works, due consideration should be given to providing adequate notices through advertising to ensure all parties are advised in a suitable and timely way. 7. Where the DCO is to provide an alternative to the existing noticing and	The Applicant notes it has previously agreed with North Yorkshire highways to attend an introductory meeting with the streetworks team at a time to be agreed to discuss how the DCO interacts with existing regimes. With regards to the programming requests, these are noted and the detail of this will be able to be discussed pursuant to approval of the detailed CTMP. In summary, the draft DCO [updated alongside this submission] provides the Applicant with the powers required to carry out the Proposed Development, avoiding the need to obtain separate consents or approvals under other highways legislations. Part 3 of the draft DCO provides the Applicant with the powers required to carry out the highway works referred to, including the making of traffic management measures that have effect as though they were temporary traffic regulation orders (article 16). Notice and advertising requirements are included within the DCO, and the Applicant will be complying with the street works permit scheme as set out in article 9 of the draft DCO. Article 8 provides the Applicant with a statutory right for the purposes the New Roads and Street Works Act 1991, and confirms that sections 54-106 of that Act apply to any street works carried out under the DCO. In respect of AILs only, the standard process will be used ensuring that the requirements for these movements have been agreed in advance with the relevant highway authorities and the police.

Reference ID	Theme(s)	Comment	Applicant Response
		permit systems, the LHA will need to be assured that all the key aspects of the existing system are included in the DCO so that the works can proceed in a timely manner without a major adverse impact on other bodies who are following the existing system. 8. Resourcing may be difficult for NYC to check and produce permits and this may affect the capacity to produce them in a timely manner. Early application will reduce the impact of resource limitations. 9. NYC processes and proformas are available online and can be shared with the developer now. These processes are necessary for the contractor to follow, even with a DCO in place, to ensure that the proposed LVS works are accessible during planned and approved work by other parties. This includes diversion routes for works elsewhere. 10. AIL routing and timing needs to be planned and approved to ensure that no roadworks by other parties are underway that might affect the access of the AILs. 11. Some highways works may be on traffic-sensitive roads and this will need to be factored into the contractors scheduling. Likewise some highways works may be on roads subject to lane rental which will need to be factored into the contractor's scheduling and costings. Details of this are available on the NYC website. 12. The permitting process will be different depending on which contractor is appointed to undertake the works on the highway. 13. The LHA has yet to check how and whether the Streetworks Act might be superseded by other provisions in the DCO, and the impact of this.	
LIR-NYC-63	Transport and Access	Highway Works It is understood that there will be no S.278 agreement for the developer to undertake works within the highway (such as road widening, the creation of passing places or construction of new junctions). Instead, a Side Agreement that sits alongside the DCO is requested that will ensure that the works are undertaken to the appropriate standard and that the Local Highway Authority is suitably protected.	The Applicant notes this comment and can confirm that an agreement with the highway authority may be entered into under article 15 of the draft DCO [updated alongside this submission] and could include the matters typically included in a s278 agreement. Such an agreement is optional, and the Applicant notes that the highway authority may prefer to provide approval of the alterations to the highway as part of the approval of the detailed Construction Traffic Management Plan under Requirement 14 of Schedule 2 to the Draft Development Consent Order [updated alongside this submission]. The outline CTMP sets out, in Section 3.8, the requirement for approval from North Yorkshire Council of vehicular access layouts, parking and circulation arrangements prior to construction commencing.
LIR-NYC-64	Transport and Access	Areas of Road Safety Concern The A63 to the west of Monk Fryston, on the access route to Sites 2-4 / 6-8 is currently being investigated by the NYC traffic engineering team as an area of concern as it has been identified as a 'high risk route' for injury collisions. This will require further consideration during the application process.	The Applicant notes this comment. However, the Transport Assessment [updated alongside this submission] includes a review of publicly available road safety data and does not identify this location as an existing road safety concern. Furthermore, the level of construction traffic associated with the Proposed Development is not anticipated to materially alter highway conditions at this location. As such, no significant road safety effects are expected to arise as a result of the Proposed Development.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-65	Transport and Access	Strategic Network Risks There are works scheduled in the vicinity of the LVS scheme and outwith the area which may impact on the LVS delivery and programming. This includes major bridge refurbishments on A19 and A63 within North Yorkshire and at least one other near Goole that will have traffic diversions through North Yorkshire. These will last between 3 months and 2 years and have a major impact on the highway network due to diversion routing. Other developments have been approved in the LVS area but are not yet occupied, or are in the planning system and potentially will be approved within the next 12 months. Some of these bridge works and other developments will have booked road space already. The developer is expected to seek and provide information of the booked schemes, approved planning applications that are not yet constructed, and of major planning applications currently under consideration. It would also be prudent to include public information from any other source/ utility/ body for example Network Rail or National Highways that has major works planned in the area and surrounds that are planned to take place within the timeframe of the construction of LVS. Evidence should be provided of the searches undertaken and the results. This information will inform the strategic risks and enable the cumulative impacts of the LVS construction traffic to be considered.	The Applicant notes this comment. The Transport Assessment (TA) [updated alongside this submission] has been undertaken using an appropriate future baseline that takes into account committed development and forecast background traffic growth, thereby ensuring that the potential for cumulative effects is considered within the assessment. The cumulative assessment includes developments identified and agreed with the relevant authorities at the time the assessment was prepared. Acknowledging the impact of diversions from other works, there is a commitment in Section 3.7 of the Outline Construction Traffic Management Plan (oCTMP) [updated alongside this submission] to consider the construction phasing of all the committed developments when updating the CTMP to ensure that the construction routing of traffic associated with the Proposed Development would not have an unacceptable cumulative effect on local traffic conditions. This could be updated to also include any diversions in place at the time of construction. Any temporary construction-related effects that are subsequently identified will be managed through the measures set out in the outline Construction Traffic Management Plan (oCTMP) [updated alongside this submission]. The oCTMP [updated alongside this submission] also includes a commitment to establishing a traffic liaison group with nearby developments.
LIR-NYC-66	Public Rights of Way	The proposed Light Valley Solar development will affect a significant number of existing Public Rights of Way (PRoWs), those being Public Footpaths, Bridleways and UURs. The Sites affected are Sites 1, 4, 6 and 8. There is also 24 Public Rights of Way affected by the cable route corridor. Please note that South Milford Public Footpath 35.59/5/1 has been extinguished by as Rail crossing extinguishment order 2023 and is no longer affected by this development.	The Applicant notes this comment.
LIR-NYC-67	Public Rights of Way	The principal local impacts on the Public Rights of Way and its users are changes to visual amenity, landscape character, recreational experience and temporary disturbance during the construction, operational and decommissioning phases of the development. Naturally the level of impact will change between the sites because of the local topography, existing vegetation and distance between the route and solar infrastructure.	The Applicant notes this comment. Changes to the views and visual amenity of people using Public Rights of Way during the construction, operational and decommissioning phases of the Proposed Development are summarised in ES Volume 1 Chapter 10 - Landscape and Visual [APP-048] and described in detail in ES Volume 3 - Appendix 10.3 Visual Baseline and Effects [APP-169]. The Design Parameters and Commitments document [updated alongside this submission] establishes minimum offsets of 15m either side of PRoW to preserve amenity and avoid enclosure. Planting is proposed to assist in screening or filtering views of proposed solar panels and related infrastructure during operation. A series of permissive paths are also proposed to connect with and further enhance the Public Right of Way network. These are shown indicatively on the Outline Environmental Masterplan [updated alongside this submission].

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-68	Public Rights of Way	During the construction phase members of the public will experience over the 36 month period, inconvenience and disruption resulting in an overall loss of amenity, particularly where routes are temporary closed. There will also be increased noise and visual disturbance which affect the enjoyment of the user. Increased vehicle movements across the sites will increase the potential of conflict between vehicles and members of the public where they are interacting as a result of shared use. The condition of the surface of the PROW is likely to become damaged where construction traffic is using the PROWs as access.	ES Chapter 13, socioeconomics [updated alongside this submission] reports there would be a requirement for local management and/or short-term, temporary closures of some PROWs to facilitate the construction of the Proposed Development. The nature of these short-term, temporary closures will depend on the final construction methodology employed by the contractor. These closures will follow a hierarchy outlined in the outline Public Rights of Way Management Plan (oPROWMP) [APP-199]. As reported in the oPROWMP (section 3.1), safety is a key factor for any temporary closures, especially when existing routes may pose risks to public safety. Where PROWs are proposed to be closed for construction and later reinstated or diverted, condition surveys will confirm the replacement route meets or exceeds previous standards. Surface finishes, and signage of reinstated and diverted PROWs will be agreed upon with the Local Planning Authority before installation. This will be secured through the LEMP, and principles have been set out in the oLEMP [updated alongside this submission]. Noise: ES Chapter 11 Noise and Vibration [APP-048] presents the assessment of impacts of construction on PROWs. It is reported that PROWs are by their nature transitory in their use, with users not staying in any one location for any length of time. Levels of noise from the construction of the Proposed Development will vary as the people using the right of way move closer to and then away from any construction activity. Construction noise impacts upon PROWS are minimised with the implementation of mitigation measures defined in Section 11.8 of Chapter 11 and reflected within the oCEMP [updated alongside this submission]. Visual disturbance: ES Chapter 10, Landscape and Visual [APP-048] identifies people travelling along PROWs as visual receptors with the potential to be affected by the Proposed Development. Embedded mitigation measures have been made during the pre-application stage including a 15m off set from all infrastructure, including fencing, to PROWs. Moderate adverse effects, during construction, on PROWs, which are significant, have been identified and reported in Sections 10.9.95 to 10.9.107. Construction visual impacts upon PROWS are minimised with the implementation of mitigation measures within the oCEMP [updated alongside this submission], including suitable screening of construction laydown areas and compliance with BRE National Solar guidance including sparing use of security fencing, incorporation of hedges or landscaping to blend with the natural environment where practicable, and use of vegetation planting to enhance site security. Vehicle conflict as a result of shared use: There are very few instances where a proposed construction access route interacts with or sits wholly within an existing Right of Way, as shown in Figure 13.2: Public rights of way baseline (ES Volume 2) [APP-108]. To maintain public access, the outline Public Rights of Way Management Plan [APP-199] proposes a phased scheduling of works, based on existing knowledge and planning

Reference ID	Theme(s)	Comment	Applicant Response
			assumptions. Should an alternative PRow management strategy be required, this will be set out in the detailed PRow Management Plan, which will be based on the same management principles as set out in this oPRowMP. The detailed PRowMP is secured by Requirement 16 of the draft Development Consent Order [updated alongside this submission] and no part of the authorised development may commence until the PRowMP for that part of the development has been submitted to and approved by the relevant planning authority. The Applicant is committed to minimising disruption to the public along the PRow network wherever practicable, while ensuring that safety considerations are carefully addressed throughout the construction and operational phases of the Proposed Development. In instances where there may be a conflict between these objectives, a balanced approach will be adopted, taking into account both public and PRow user safety and the potential impacts of mitigation measures.
LIR-NYC-69	Public Rights of Way	During the Operational phase members of the public will experience a Permanent change in landscape character from semi-rural open agricultural land to a solar landscape.	Changes to the views and visual amenity of people using Public Rights of Way during the construction, operational and decommissioning phases of the Proposed Development are summarised in ES Volume 1 Chapter 10 - Landscape and Visual [APP-048] and described in detail in ES Volume 3 - Appendix 10.3 Visual Baseline and Effects [APP-169]. The landscape where the Proposed Development is located is not a natural landscape, it has evolved substantially through decades of agricultural industrialisation, which has resulted in generally large arable fields with a substantially more disparate and fragmented landscape pattern. Solar development therefore needs to be assessed within the context of an already highly modified working landscape rather than against an idealised or pre-industrial baseline. The LVIA acknowledges that the Proposed Development will result in further localised changes to landscape character, resulting in moderate adverse significant effects across all Solar Development Sites during construction and at year 1 of operation. These effects would largely reduce to not significant by year 15 of operation, with the exception of SDS 2, SDS6 and SDS7. This is consistent with paragraph 5.10.5, which states that “<i>virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</i>” However, at the landscape scale, significant effects are only identified for LCA 3, LCA 11, LCA 13 and LCA 14 during construction and for LCA 3 at year 1 of operation. All other LCAs would experience effects which are not significant by year 15 of operation. This is achieved by robustly applying the mitigation hierarchy by siting the Proposed Development on land with low landscape sensitivity, avoiding permanent above ground infrastructure in more sensitive landscapes and views and embedding mitigation. The Design Parameters and Commitments document [updated alongside this submission] establishes minimum offsets of 15m either side of PRow to preserve amenity and avoid enclosure. Planting is proposed to assist in screening or filtering views of proposed solar panels

Reference ID	Theme(s)	Comment	Applicant Response
			and related infrastructure during operation. A series of permissive paths are also proposed to connect with and further enhance the Public Right of Way network. These are shown on the Outline Environmental Masterplan [updated alongside this submission] .
LIR-NYC-70	Public Rights of Way Landscape and visual Impact	Reduced visual amenity from the presence of panels, fencing, CCTV columns, substations and battery storage infrastructure; creating a more industrialised landscape. The user's enjoyment and experience of the network alters and sometimes members of the public experience a sense of closure when using enclosed corridor routes.	The Applicant acknowledges that the visual amenity of Public Rights of Way (PRoW), bridleways and other recreational routes may change as a result of the Proposed Development. The Applicant's assessment of recreational receptors and PRoWs concludes that, with embedded mitigation in place, no significant effects on PRoW receptors are anticipated. While individual users may have different preferences regarding landscape character and recreational experiences, the assessment indicates that access to the countryside will be maintained and enhanced through the provision of additional permissive paths and connectivity improvements.
LIR-NYC-71	Public Rights of Way Landscape and visual Impact	In Selby there are a large number of solar farm developments proposed or in construction, there is a cumulative Impact on members of the public using the network as a result of multiple developments changing the visual landscape of the area.	The Applicant has carried out a thorough and robust assessment of the likely cumulative landscape and visual effects in combination with other proposed developments of a similar scale and nature. This assessment is reported in Section 10. 14 of ES Volume 1 Chapter 10 - Landscape and Visual [APP-048]. It has been assessed that the Proposed Development is likely to lead to some cumulative landscape and visual effects during construction, year 1 of operation and decommissioning stages. This includes the proposed Hiliam Solar Farm and the proposed Scalm Solar Farm and BESS, which the Applicant has considered from an early stage. These schemes and the Proposed Development would be introduced into a landscape with good existing networks of PRoW which would enable walks to be taken that take account of people's responses to how views change over time. Those routes from which there would be sequential or in-combination effects have been identified and assessed and are limited in number and geographical extent. These effects represent the change to the landscape and visual experiences that would emerge during any change to the landscape, as recognised through NPS EN-1 which acknowledges in Section 5.10 that "virtually all nationally significant energy infrastructure projects will impact the landscape". It should be noted that with proposed mitigation in place and following initial establishment, landscape and visual impacts will generally reduce over time." Furthermore, the Applicant has committed to including additional permissive paths to reinforce the existing network of PRoW, providing further alternative routes within and around the Proposed Development.
LIR-NYC-72	Public Rights of Way	There is also a positive impact with regards the connectivity and recreational use across the sites. The enhancement of the existing routes. Proposed circular routes through the provision of new permissive paths, creating additional opportunities and improved connectivity for walkers, cyclists, and equestrians to enable greater public access to the countryside, as well as local amenities.	The Applicant welcomes this comment.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-73	Public Rights of Way	Is the impact adequately assessed in the application? The application recognises the affected PROWs, these are correctly identified in the documents and plans provided. It highlights and assesses the impacts caused by this development on the Public Rights of Way network. Sharing details of routes requiring management during construction. Highlighting the requirement of permanent diversions and detailing permissive paths. However, it relies on the specifics being addressed in a PROW Management Plan.	The Applicant note this comment.
LIR-NYC-74	Public Rights of Way	Is the impact adequately addressed/mitigated in the application? The applicant has developed an Outline Public Rights of Way and construction traffic Management Plan containing appropriate mitigation measures; subject to approval and implementation of the Detailed Public Rights of Way Management Plan. Detailed requirements relating to route management, crossings, surface standards, accessibility, diversion specification and reinstatement have yet to be finalised and should be secured through the DCO requirements and subsequent approvals process with ongoing consultation with North Yorkshire Council Public Rights of Way Team to ensure protection and enhancement of the network throughout the construction, operational and decommissioning phases of the development. The proposed permissive network of paths and cycling routes which is great public benefit. The application highlights that there are plans to keep routes open where possible, provide information to the public on site about the development and minimise any potential conflict through signage, having banksmen and reduced vehicle speeds	The Applicant welcomes this comment and confirms the commitment to engagement with the North Yorkshire Council Public Rights of Way Team on the detailed requirements.
LIR-NYC-75	Public Rights of Way	What else should be done? a) The applicants have identified the DMMOS applications across the sites; they need to ensure that future routes confirmed through the DMMO process can be incorporated without prejudice. b) That long term management arrangements are in place for the maintenance of the permissive paths. c) That the PROW team are notified in advance of potential changes affecting users of the PROW network, d) PROW team to be consulted on the diversions e) A route condition survey is undertaken of the affected network before during and after development f) That the diverted routes are of equal or better in convenience, width, surfacing and accessibility than existing routes. g) The provision of detail schedules regarding any PROW closures and construction	The Applicants notes these comments and deals with each one in turn: a) Section 2.5 of the outline Public Rights of Way Management Plan (oPRoWMP) [APP-199] provides a review of Definitive Map Modification Order application (DMMOs). Where local management or diversions are identified as necessary in the future, these will be managed in the same way existing PROWs have been considered in the remainder of the oPRoWMP). b) The detailed PROWMP will be secured by Requirement 16 of the draft Development Consent Order [updated alongside this submission] and no part of the authorised development may commence until the PROWMP for that part of the development has been submitted to and approved by the relevant planning authority. c) Where PROWs are proposed to be closed for construction and later reinstated or diverted, relevant parties will be notified at least seven days before any closure

Reference ID	Theme(s)	Comment	Applicant Response
			d) Surface finishes, and signage of reinstated and diverted PRowWs will be agreed upon with the Local Planning Authority before installation. This will be secured through the LEMP, and principles have been set out in the oLEMP [updated alongside this submission]. e) Safety is a key factor in any temporary closures, especially when existing routes may pose risks to public safety. Where PRowWs are proposed to be closed for construction and later reinstated or diverted condition surveys will be carried out. This will be secured through the LEMP, and principles have been set out in the oLEMP [updated alongside this submission]. f) Condition surveys will confirm how any replacement route meets or exceeds previous standards. This will be secured through the LEMP, and principles have been set out in the oLEMP [updated alongside this submission]. g) The detailed PRowWMP will include a schedule of closures and permissive paths, and relevant parties will be notified at least seven days before any closure.
LIR-NYC-76	Public Rights of Way Landscape and visual Impact	In solar development site 4, there are long stretches of PRow enclosed by solar arrays. The applicants should look at soft landscaping and screening to help mitigate the visual impact as this currently provides a corridor effect.	The Design Parameters and Commitments document [updated alongside this submission] establishes a minimum offset of 15m either side of PRow within the Order Limits, equating to a corridor of 30m. The Outline Environmental Masterplans (OEM) [updated alongside this submission] illustrate the network of public rights of way (PRow) that intersect with, parts of the Proposed Development. These plans also show where these PRow would be stopped up or diverted and where additional permissive paths are proposed to enhance the network, providing greater choice of routes and permeability through the landscape that does not currently exist. Where PRow are located within SDS, substantial space is provided to accommodate offsets and proposed hedgerow and tree planting, as illustrated on the OEM, for example the two public footpaths that run through SDS, as shown in OEM Figure 12.05. This provides adequate space for planting to visual screen and integrate proposed solar panels within views from these PRow in the longer term.
LIR-NYC-77	Air Quality	Construction air quality mitigation measures, including a Dust Management Plan (DMP) and a monitoring regime, are included within the oCEMP (document reference APP-192). Construction activities are to be undertaken in accordance with best practice guidelines regime.	The Applicant notes this comment and confirms the relevant best practice guidelines will be adhered to at the time of construction.
LIR-NYC-78	Air Quality	Appendix 16.1 (Construction Dust Assessment) (document reference APP183) and Appendix 16.3 (Ground conditions Preliminary Risk Assessment)(document reference APP -185) have been reviewed. The reports highlights that the dust potential is high risk to dust soiling and low risk to human health, and that dust emitting activities can be greatly reduced by the implementation of mitigation measures. A dust mitigation plan should be developed and implemented.	The Applicant notes this comment. A Dust Management Plan will be developed, as set out in the outline CEMP [updated alongside this submission] , to review the effectiveness of dust mitigation at the detailed design stage.
LIR-NYC-79	Air Quality	Overall, the Authority is satisfied that the requested safeguards are in place	The Applicant notes this comment.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-80	Water Resources and Flood Risk	Following assessment of the information the LLFA understand the proposed development may cause/increase flood risk locally around the site. This could be surface water runoff or contributing to capacity issues. Appendix 15.4: Outline Drainage Strategy (document reference APP -182) identifies these impacts and outlines what will be done to mitigate the risk. The applicant understands the responsibility placed on them from a surface water risk side. The LLFA find this a suitable way to manage surface water on the site.	The Applicant notes the LLFA's comments and welcomes the LLFA's agreement that the Outline Drainage Strategy [updated alongside this submission] sets out an appropriate approach to managing surface water runoff and mitigating potential increases in flood risk.
LIR-NYC-81	Ground Conditions	Appendix 16.3 of the Environmental Statement Volume 3 (document reference AS-033 and AS-034) have been reviewed. The Council advises that the applicant has a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework, and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.	The Applicant notes this comment and confirms that adherence will be made to the relevant regulations and guidance at the time of construction.
LIR-NYC-82	Human Health	The Council considers the proposal will have direct and indirect impacts on population and human health.	The Applicant notes this comment.
LIR-NYC-83	Human Health	The independent Planning Inspector (PINS) scoped out the need for a standalone Population Health chapter; however, they did not scope out the need to undertake appropriate assessments on the health of the population.	The potential for effects on population health and wellbeing associated the Proposed Development was considered and scoped out of the EIA Scoping Report [APP-143], with the approach confirmed in the EIA Scoping Opinion (ES Volume 3 [APP-144]). Nevertheless, health and visual amenity impacts are assessed within ES Chapter 11 for noise and vibration [APP-049], Chapter 13 for socioeconomics [updated alongside this submission], Chapter 14 for traffic and movement [updated alongside this submission] and Chapter 10 for landscape and visual [APP-048]. Air quality (dust) and glint & glare are assessed in ES Chapter 16, Other Environmental Matters [updated alongside this submission]. Standard mitigation measures for air quality are set out in the Construction Dust Assessment [APP-184], the outline Construction Environment Management Plan [updated alongside this submission], the outline Construction Traffic Management Plan [updated alongside this submission], and the outline Decommissioning Construction Environment Management Plan [updated alongside this submission]. In ES Chapter 17: Cumulative and In-Combination Effects [updated alongside this submission] the assessment identifies and evaluates situations where a single human receptor or human receptor group may be subject to more than one type of residual effect from the Proposed Development. The assessment aims to determine whether these effects

Reference ID	Theme(s)	Comment	Applicant Response
			could interact with each other to result in more significant effects than those already identified for each receptor or receptor group on a topic-by-topic basis. In the context of traffic, dust, visual, noise & vibration, and glint & glare during construction and operation, the in-combination assessment does not identify any increase in the significance of effects predicted in the ES chapters.
LIR-NYC-84	Human Health	The PINS response states that "Where human health impacts have been assessed in the ES [environmental statement], consideration should be given to relevant guidance such as the IEMA 2022 guidance 'Determining Significance for Human Health in Environmental Impact Assessment'". The planning inspector clearly stated in the Scoping opinion (EN0110012-000006-EN0110012 Scoping Opinion.pdf) that "EIA methodology chapters should provide clear cross referencing to where relevant direct and indirect impacts on human health are considered in the ES, including the impacts upon mental health and wellbeing." The application does not adequately include any of the above and it is not considered that the impact is adequately addressed or mitigated.	Health impacts are assessed within chapters of the topics mentioned in the Applicant's Response above (LIR-NYC-114). In the context of providing public health benefits, the Applicant's Proposed Development Outline Environmental Masterplan [updated alongside this submission] sets out measures to enhance local environmental amenity introducing new permissive paths and ensuring sustained access to the Public Rights of Way network throughout the duration of the construction, operation and decommissioning phases. These are secured by means of the outline Landscape and Ecological Management Plan [updated alongside this submission] and the Public Rights of Way Management Plan [APP-199] under draft DCO Requirements 6 and 16 [updated alongside this submission].
LIR-NYC-85	Human Health	The World Health Organization (WHO) defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity." The Applicant, in its Scoping Assessment uses this definition of health, and states "As such, the consideration of both mental and physical health effects are embedded within the assessment. The terms 'health' or 'health and wellbeing' may refer to mental and/or physical health and wellbeing."	The Applicant notes this comment.
LIR-NYC-86	Human Health	The Applicant should undertake assessment of the direct and indirect significant effects of the development upon population and human health, encompassing both mental and physical health and the wider determinants of health. In line with the above from the independent Planning Inspector, the assessment should utilise an appropriate industry recognised methodology such as the IEMA 2022 guidance 'Determining Significance for Human Health in Environmental Impact Assessment. This should be applied within the following ES Chapters: • Agriculture land and soils - specifically the association with food supply and food sustainability over the 60-year project • Air quality • Landscape and visual - including potential loss of enjoyment from altered open space and possible associated impact upon peoples mental and physical health through lower participation of physical activity within the altered landscape. • Noise and vibration • Socioeconomics	The Applicant notes this comment and advises as follows: - ES Chapter 5 Agriculture, land and soils [updated alongside this submission] reports in respect of food security that the UK Food Security Report 2024 has anticipated increases in land use change from agriculture to other uses, including energy production, and has concluded that with continued growth in agricultural output and subject to conducive market conditions, food production levels can be maintained or even increased alongside the land use change needed to meet Net Zero and Environment Act targets. Agricultural land use statistics show that of the 7,100 ha used for solar production in 2024 (0.08% of the country's utilised agricultural land), approximately half was also used for some form of agricultural production. The 486 ha of BMV land within the Proposed Development (of which approximately 19.1 ha would be required for the permanent elements of the Proposed Development involving soil sealing) would represent approximately 1% of the likely BMV land in Selby District and 0.08% of the likely BMV land in the Yorkshire and

Reference ID	Theme(s)	Comment	Applicant Response
		- Traffic and movement - including annoyance from ongoing traffic lights. Annoyance can lead to poor mental health and could be experienced at a population level (multiple people experience the same effects) - Cumulative and in-combination effects Currently these chapters do not consider population and human health, instead rely on a regulatory approach for each topic and its assessment. Population and human health are complex and as such require assessment of impact through a population and human health lens.	Humber Region. These proportions do not represent a significant use of BMV land. - Air quality – as noted above, air quality, specifically dust, has been considered in ES Chapter 16, Other Environmental Matters [updated alongside this submission] and this has specifically considered human receptors. - Landscape and visual – the visual impact assessment in ES Chapter 10 [APP-048] identifies the visual receptor groups considered in paragraph 10.7.79, including people using PRowS and open spaces. - Noise and vibration – ES Chapter 11 [APP-049] sets out the sensitive receptors considered in the assessment in Table 11-8 including residential properties, sensitive commercial and community uses, public open spaces and PRowS. - Socioeconomics – ES Chapter 13 [updated alongside this submission] identifies human receptors considered in the assessment including community and recreation receptors (Table 13-18) which includes schools, village/community halls, churches and cemeteries, playing fields and sports clubs and public open spaces. Table 13-19 lists all PRowS that travel through the Order Limits. - Traffic and movement – ES Chapter 14 [updated alongside this submission] Section 14.6 (assessment methodology) describes the sensitive receptors considered as part of the assessment in line with IEMA Guidelines, including people at home and at work, children, elderly and disabled persons, pedestrians, cyclists and equestrians. Table 14-8 identifies the criteria to assess receptors sensitivity. - Cumulative and in-combination effects ES Chapter 17 [updated alongside this submission] is discussed in the context of potential impacts on human receptors in response to LIR-NYC-114 above.
LIR-NYC-87	Human Health	The assessment should clearly define a baseline by identifying the general population and those sub populations (vulnerable groups) who may experience disproportional negative health effects as a result of the development. The use of LSOA boundaries with an appropriate buffer would be more reasonable.	ES Chapter 13 for socioeconomics [updated alongside this submission] considers the existing baseline environmental characteristics for the Study Area with specific reference to socioeconomics, tourism and recreation. This includes data sourced from the Index of Multiple Deprivation (IoD) 2019 for Selby. The IMD produces an overall relative measure of deprivation at Lower Super Output Area (LSOA) (MHCLG 2025). Overall, Selby is reported as performing well in the IoD with only one LSOA falling into the most deprived, some 2km away from the Cable Route Corridor and over 6km from the closest SDS. 12 of the Selby 54 LSOAs are the least deprived in the UK.
LIR-NYC-88	Human Health	The timeframe for population and human health impacts may be different to that of other ES chapters. The potential impacts on populations may occur earlier and take longer to be reversed. Public Health recommend that intermittent assessment across the 60-year timeframe of the development would enable a 'life course' approach to identifying, monitoring and mitigating any impacts on population and human health across both the project and the local population's lifespan. This could include local population surveys and/or use of wider health and wellbeing data.	Effects may be experienced by local people in different locations and at different times. This combination of effects over time and space may influence perceptions of local amenity and the character of the rural area. Based on the scale and nature of the effects presented in the ES, while in-combination effects may exacerbate responses such as frustration and dissatisfaction for some people, this is not considered to lead to potentially significant adverse effects on population health and wellbeing.

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LIR-NYC-89	Agricultural Land and Soils	Sites 2 and 4 in particular contain extensive Best and Most Versatile Land (BMV). It is noted that the applicant has sought to locate the development in areas of lower soil quality however it remains that the development will be constructed on BMV.	As noted in paragraph 5.9.18 of ES Volume 1 Chapter 5 – Agricultural Land and Soils [updated alongside this submission] , an estimated 80% of all agricultural land in Selby District is Best and Most Versatile (BMV) quality making it a relatively abundant resource for the locality. Total avoidance of the use of BMV land for a proposal of this scale is therefore not possible but as most of the land will remain in-situ, the agricultural land quality will be preserved.
LIR-NYC-90	Agricultural Land and Soils	The Council also notes Action Point ISH1-8 relating to permanent loss of agricultural land due to retention of proposed landscape and ecological features such as planting of hedgerows, woodland, and biodiversity net gain area post-operation. The Council will consider this information once submitted and will provide comments at Deadline 3.	The Applicant notes this comment.
LIR-NYC-91	Site Selection and Alternatives	The Council seeks to understand better the site selection process, in particular whether there are alternative grid connections available in the UK and if so are these in areas where soil quality is not BMV. If there are alternatives, the Authority seeks to understand why the Monk Fryston connection was chosen and alternatives discounted.	The Applicant has been offered a grid connection at Monk Fryston and has entered into a connection agreement with National Grid. Therefore this has formed the basis of its area of search for site selection. Alternative substations have been considered where raised in consultation responses (see ES Volume 1, Chapter 3: Alternatives and Design Iteration [updated alongside this submission]), however, the connection secured at Monk Fryston, which has capacity available to accommodate the Proposed Development, was a key driver for the area of search. With regard to other grid connections available in the UK, section 3.7 of the Statement of Need [APP-214] describes the Connections Action Plan, published by DESNZ and Ofgem in 2023. The Plan describes that there are “insufficient suitable and timely grid connections to connect the new low carbon capacity the country needs on the way to Net Zero. Therefore, the Plan prioritises maximising the use of the currently available and planned network capacity” (pp40 & 41 of the Plan). Section 3.8 of the Statement of Need [APP-214] describes the Clean Power Action Plan, in which the government established clean power capacity ranges for 2030 and 2035 to guide the delivery of the new large-scale low-carbon generation infrastructure needed to prepare the country for the rapid growth in power demand expected over the 2030s (p11 of the Clean Power 2030 Action Plan). Given the need for a large capacity of new schemes, alongside the well publicised shortage of timely connections, any other grid connections available in Great Britain should not be considered as alternative sites, but additional sites, because they are likely also to be needed on the way to Clean Power and Net Zero.
LIR-NYC-92	Cumulative and In-Combination Effects	The cumulative impact of the proposed development on landscape and local communities has been set out in sections 8 (Landscape) and 17 (Public Health). The Council would like the Examination to further assess cumulative impact by the applicant, and how these impacts may be mitigated and offset.	The Applicant notes this comment.

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LIR-NYC-93	Draft DCO	The Council has reviewed the draft DCO (document reference APP-017) and commented as to its adequacy on a topic-by-topic basis above. The Council may continue to request alterations to the draft DCO as necessary as discussions between the parties continue.	The Applicant notes this comment.
LIR-NYC-94	Biodiversity and Ecology	The Council has considered the wider local biodiversity context of the Proposed Development, including the Selby Biodiversity Action Plan, local ecological networks, the North Yorkshire and York Local Nature Recovery Strategy and the cumulative effects arising from multiple large-scale energy infrastructure proposals within the former Selby district and wider Drax area.	The Applicant notes this comment.
LIR-NYC-95	Biodiversity and Ecology	The Proposed Development is a very large-scale solar NSIP extending across multiple Solar Development Sites, a substantial Cable Route Corridor, Highway Improvement Areas and associated access land. The ecological submission is therefore complex and is supported by a substantial suite of documents, including ES Chapter 6: Biodiversity, ES Chapter 12: Ornithology, associated protected species and habitat appendices, the Shadow Habitats Regulations Assessment, the Biodiversity Net Gain Report and metric, the draft DCO, the Outline Landscape and Ecological Management Plan, the Outline Bird Mitigation Area Management Plan, the Outline Construction Environmental Management Plan, the Outline Operational Environmental Management Plan and the Outline Decommissioning Environmental Management Plan.	The Applicant notes this comment.
LIR-NYC-96	Biodiversity and Ecology	The Council considers that the Applicant has undertaken a broadly comprehensive ecological assessment in accordance with established Ecological Impact Assessment principles. The assessment is supported by an extensive suite of habitat and species surveys and engagement with statutory consultees. The Council accepts that much of the Order Limits comprises intensively managed agricultural land of relatively low intrinsic botanical value, with ecological interest primarily associated with hedgerows, ditches, ponds, trees, aquatic features and bird assemblages.	The Applicant notes this comment.
LIR-NYC-97	Biodiversity and Ecology	The Council acknowledges that the Proposed Development has the potential to deliver significant biodiversity benefits. The BNG Report predicts substantial gains above the anticipated 10% requirement for NSIPs, and the Council gives positive weight to this commitment, particularly where biodiversity gains are delivered on-site and can be secured through long-term monitoring and management.	The Applicant notes this comment.
LIR-NYC-98	Biodiversity and Ecology	Despite the generally comprehensive nature of the submission, the Council considers that a number of ecological matters require further scrutiny through Examination. These do not currently amount to a fundamental ecological objection to the draft DCO framework, but they do require clarification and, where appropriate, strengthening of the relevant Requirements and submitted documents.	The Applicant notes this comment.
LIR-NYC-99	Biodiversity and Ecology	The Council's principal concern relates to the degree of certainty with which species compensation, mitigation and monitoring outcomes are secured. Whilst the Bird Mitigation Area provides a dedicated mechanism for mitigating effects on Functionally Linked Land associated with SPA/Ramsar qualifying bird species, further clarification is required regarding compensation and measurable outcomes for wider farmland and ground-nesting bird assemblages across all Solar Development Sites.	The Applicant notes North Yorkshire Council's concerns and has updated the oLEMP [updated alongside this submission] which will take these points into consideration.

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LIR-NYC-100	Biodiversity and Ecology	The Council also considers that further certainty is required in relation to water vole pre-commencement surveys, mitigation and response mechanisms, given the extensive ditch network and uncertainty regarding the functional value of seasonally wet ditches. More generally, the Council considers that the Outline Landscape and Ecological Management Plan (oLEMP) and Bird Mitigation Area Management Plan (BMAMP) would benefit from clearer ecological success criteria, monitoring thresholds, reporting requirements, adaptive management triggers and remedial actions. The Council also considers that further certainty is required regarding the specification of operational fencing and the measures proposed to maintain habitat connectivity and mammal movement across the Solar Development Sites.	The Applicant notes this comment and confirms further certainty has been added to the oCEMP [updated alongside this submission] regarding pre-commencement surveys and response mechanisms for water vole. The oLEMP [updated alongside this submission] has also been updated to include clearer ecological success criteria, monitoring thresholds, reporting requirements, adaptive management triggers and remedial actions for habitats. Further certainty regarding the specification of operational fencing and the measures proposed to maintain habitat connectivity and mammal movement across the Solar Development Sites has also been added to the Design Parameters and Commitments Document [updated alongside this submission], noting that the Council will approve these details pursuant to the DCO. The Applicant notes North Yorkshire Council's comments with regard to measurable targets. The Applicant considers that the Outline Bird Mitigation and Management Plan (BMAMP) [APP-205] already establishes a clear framework for the development of measurable success criteria, monitoring requirements, reporting mechanisms and adaptive management measures, which are to be agreed in consultation with North Yorkshire Council and Natural England through the detailed BMAMP. Section 4.9 of the Outline BMAMP [APP-205] specifically provides for the agreement of measurable targets against which the success of the Bird Mitigation Area (BMA) will be assessed which is through habitat characteristics. These are anticipated to include habitat-based criteria, such as the extent and quality of grassland established, sward characteristics and the absence of negative indicator species, together with hydrological performance indicators relating to the retention of water within scrapes and wet grassland features. In addition, annual breeding and non-breeding bird surveys will be undertaken to monitor the response of target species and assess the effectiveness of the mitigation measures. The Outline BMAMP [APP-205] further requires monitoring to be undertaken by an appointed Nature Conservation Professional, with the results reported through an agreed review process. Importantly, the document confirms that the process for reporting, reviewing performance against agreed targets, and determining any remedial actions where targets are not being met, will be agreed with North Yorkshire Council and Natural England as part of the approval of the detailed BMAMP. The Applicant will continue to engage with North Yorkshire Council on this matter to understand what further clarity is required.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-101	Biodiversity and Ecology	Ecological baseline and protected species The Council considers that ES Chapter 6 provides a generally comprehensive assessment of biodiversity receptors and identifies the principal impact pathways associated with a development of this scale, including habitat loss, fragmentation, disturbance, localised risks to aquatic systems and effects on protected species. However, there remain areas of uncertainty within the baseline and impact assessment, including incomplete survey coverage for some receptors, reliance on precautionary assumptions where access was not possible, and the deferral of detailed mitigation to post-consent surveys, method statements and licensing processes.	The Applicant notes this comment.
LIR-NYC-102	Biodiversity and Ecology	Great crested newt The Council notes that the Great Crested Newt assessment was limited by lack of access to a substantial number of ponds within the relevant survey area. This represents a limitation to the baseline, but the Council acknowledges that the Applicant has adopted a precautionary approach by assuming presence in un-surveyed ponds where appropriate. The Council considers that, provided this precautionary assumption is carried through into the detailed mitigation strategy, the absence of complete pond survey data does not in itself give rise to a fundamental concern. The Council is satisfied in principle that impacts on great crested newt can be appropriately managed through avoidance, precautionary working methods and pre-commencement controls secured through the Construction Environmental Management Plan (CEMP). The detailed CEMP should include clear requirements for updated survey where necessary, implementation of appropriate Precautionary Working Methods (PWM), Ecological Clerk of Works (ECoW) oversight, and any licensing requirements should works have the potential to affect great crested newt or their habitats. Accordingly, whilst the Council notes the survey limitation, it considers that the Applicant's assumption of presence and commitment to avoidance and precautionary working methods is an acceptable approach at this stage, subject to those measures being clearly secured through the detailed CEMP.	The Applicant notes this comment. Following the submission of the ES, a number of ponds within 250 m of the Solar Development Sites were also surveyed for GCN in 2026. The results of these surveys show a general absence of GCN from the survey area, with the results presented in Appendix 6.6 GCN Report and Chapter 6 – Biodiversity [updated alongside this submission]. The Applicant notes the agreement that impacts on great crested newt can be appropriately managed through avoidance, precautionary working methods and pre-commencement controls secured through the CEMP, and has ensure those measures are clearly detailed within the oCEMP [updated alongside this submission].
LIR-NYC-103	Biodiversity and Ecology	Water vole and riparian species The survey results confirm water vole presence at D2.1, where a burrow and feeding remains were recorded. Additional probable or possible evidence was recorded at D3.2, where possible footprints were identified; D4.8b, where a feeding station was recorded; D6.3c, where feeding remains were recorded; and D9.16, where a probable feeding station and probable burrow were recorded. The report concludes that water vole are known to be present at D2.1 and may be present at four other locations within the Order Limits. The Council notes that a number of surveyed ditches were dry or assessed as having negligible suitability at the time of survey. However, the report also records several instances where ditches showed seasonal or intermittent	The Applicant notes this comment and confirms that the oCEMP [updated alongside this submission] has been updated to include pre-commencement water vole surveys of all affected watercourses and ditches, including seasonally wet ditches where works are proposed; clear trigger points for licensing or further mitigation where water vole or evidence of water vole is found; ECoW supervision of relevant works; retention of appropriate stand-off buffers; sensitive crossing methods where feasible; and a clear procedure for stopping works and agreeing additional mitigation if previously unidentified water vole activity is recorded. The Applicant also confirms that otter and water vole have been carried through into the oOEMP [updated alongside this submission] and oDEMP [updated alongside this submission].

Reference ID	Theme(s)	Comment	Applicant Response
		hydrological function. For example, D3.2 held approximately 25 cm of water during the first survey visit but was dry during the second visit, with the report noting that vegetation and invertebrates suggested it is usually wet for much of the year and was only recently dry. D4.8a was dry at the crossing point but was assessed as high suitability if holding water, taking into account feeding remains recorded at D4.8b. D6.3a and D6.3b were assessed as high suitability, with feeding remains recorded nearby at D6.3c. The Council therefore considers that water vole distribution and the functional role of the ditch network remain subject to some uncertainty, particularly where survey conditions were affected by dry weather, dense vegetation, deep silt, deep water, recent flailing or strimming, or limited access. The Water Vole Report acknowledges that access was constrained in some locations and recommends early-season re-survey where in-channel works are required at constrained locations. The Water Vole Report confirms that a 10 m buffer is proposed to watercourses within the Solar Development Sites where practicable, with targeted surveys undertaken where works are proposed within buffers or where ditch crossings are required. The report also states that watercourses subject to trenchless crossings were not fully surveyed in all cases but will be subject to pre-commencement checks with appropriate mitigation, including ECoW supervision where necessary. On this basis, the Council considers it appropriate that a precautionary approach is secured through the CEMP and any detailed ecological method statements. This should include pre-commencement water vole surveys of all affected watercourses and ditches, including seasonally wet ditches where works are proposed; clear trigger points for licensing or further mitigation where water vole or evidence of water vole is found; ECoW supervision of relevant works; retention of appropriate stand-off buffers; sensitive crossing methods where feasible; and a clear procedure for stopping works and agreeing additional mitigation if previously unidentified water vole activity is recorded. The Council also considers that otter and water vole should be carried through consistently into the detailed OEMP and DEMP, including the ecological receptor lists, given that the ecological value and occupancy of the ditch network may change over the operational life of the development.	A draft Water Vole Mitigation Strategy has also been created using the survey results currently available and has been submitted to Natural England so a Letter of No Impediment for the species can be provided.
LIR-NYC-104	Biodiversity and Ecology	Fencing, habitat connectivity and mammal movement The Council notes that the Proposed Development will include multiple fenced Solar Development Sites extending across a large geographic area. Whilst the ecological assessment concludes that operational effects on badger and other terrestrial mammal species would not be significant, this conclusion is dependent, in part, on the assumption that the proposed fencing design would maintain permeability and ecological connectivity across the Order Limits.	The Applicant notes this comment and confirms that the Design Parameters and Commitments Document [updated alongside this submission] has been updated to define matters relating to fencing such as minimum ground clearance, mesh aperture dimensions, wire spacing, treatment of fence bases, use of rabbit mesh, anti-dig measures or other design characteristics to determine the permeability of fencing for badger, hedgehog, brown hare and other terrestrial mammals, as well as any other mechanism by which connectivity would be maintained.

Reference ID	Theme(s)	Comment	Applicant Response
		The Design Parameters and Commitments Document identifies that perimeter fencing would generally comprise deer wire mesh fencing with timber posts and states that fencing will allow the passage of small mammals where practicable. However, the Council notes that limited detail is currently provided regarding the fencing specification that would achieve this objective. In particular, the application documents do not clearly define matters such as minimum ground clearance, mesh aperture dimensions, wire spacing, treatment of fence bases, use of rabbit mesh, anti-dig measures or other design characteristics that would determine the permeability of fencing for badger, hedgehog, brown hare and other terrestrial mammals. The Council notes that the Design Approach Document refers to the retention of mammal movement corridors and states that the proposed fencing has been designed to minimise disturbance to mammal movement through the development. However, the locations of these corridors, the mechanism by which connectivity would be maintained and the design standards that would be applied are not clearly secured within the Design Parameters and Commitments Document or the ecological management documentation. It is also not clear to what extent mammals will be excluded from large areas of foraging habitat. The Council acknowledges that Requirement 9 of the draft DCO requires details of permanent means of enclosure to be submitted to and approved by the relevant planning authority. However, those details must be assessed against the parameters established through the DCO and certified documents. The Council is concerned that there are no clear parameters established for fencing design in relation to mammals against which the detailed submission required under Requirement 9 can be assessed at the post-consent stage.	The Outline Environmental Masterplans (OEM) [updated alongside this submission] has also been updated to detail the locations of the mammal movement corridors. These largely extend over the areas of Proposed Meadow Grassland Margins on the OEM, which connect the retained habitats and their buffer zones within the Order Limits, and connect these habitats to further important habitat outside of the Order Limits.
LIR-NYC-105	Ornithology	Ornithology, ground-nesting birds and farmland bird compensation The Council considers that ES Chapter 12 and the associated breeding bird appendices appropriately identify key receptors, including non-breeding SPA/Ramsar qualifying species and breeding farmland birds. The Council acknowledges that the Shadow HRA adopts a precautionary approach to Functionally Linked Land and that the proposed Bird Mitigation Area provides a clear response to effects on non-breeding bird species associated with nearby SPA/Ramsar sites. The Council considers that impacts on ground-nesting and farmland birds are one of the principal local biodiversity issues arising from the Proposed Development. The breeding bird surveys confirm that the Solar Development Sites support a farmland bird assemblage including a number of Red List and Section 41 species associated with open agricultural habitats. Following submission and acceptance of the application, the Applicant's ornithological consultant advised the Council during technical discussions	The Applicant would first like to acknowledge the Bird Mitigation Area (BMA) and its intended purpose. The Applicant agrees that the BMA was designed on a precautionary basis for non-breeding birds, particularly as this was based off of one year of surveys and a robust desk-study. However, the area was not identified solely on the basis of its size; its selection was informed by a number of site-specific attributes, including the availability of extensive open habitat with limited impacts on existing ecological features (i.e. removal of hedges/trees), the ability to divert Public Rights of Way (PRoWs), the absence of overhead power lines, its relatively low levels of disturbance from nearby roads and lanes and is situated in an area of opportunity as part of the Local Nature Recover Strategy. Note that other Solar Development Sites (SDS) were reviewed including SDS 4 where the majority of territories were recorded, however this was not considered suitable, based on the heavy bisection of hedges/trees and over-head lines (which reduces suitability for ground-nesting species). It is also important to note that the bird-day calculations used as a metric to understand land requirement to mitigate non-breeding birds, included an additional analysis to account for inter-annual variability, which overall

Reference ID	Theme(s)	Comment	Applicant Response
		that breeding bird survey data for Solar Development Sites 1-4 had been affected by data corruption and that the figures presented within the ES Chapter 12 significantly under-represent the actual number of breeding territories recorded. The Council understands that the corrected survey data increases the number of recorded territories within Sites 1-4 from 16 to 70 skylark territories, from 3 to 8 lapwing territories, from 2 to 29 corn bunting territories and from 1 to 6 yellow wagtail territories. The most substantial change relates to Solar Development Site 4, where skylark territories increased from 9 to 48 and corn bunting territories increased from 2 to 27. Whilst the Applicant maintains that this correction does not alter the overall conclusions of the Environmental Statement, the Council considers that the revised baseline represents a materially different ornithological baseline to that assessed within the submitted ES. The Council acknowledges that the survey reports describe the assemblage as typical of lowland farmland. However, in light of the subsequently identified survey data error and the substantially higher number of breeding territories now understood to be present within Solar Development Sites 1-4, the Council considers that the importance of the affected farmland bird assemblage may have been understated within the submitted ES. The corrected survey results indicate that the proposed development would affect considerably greater numbers of breeding skylark, corn bunting, lapwing and yellow wagtail than were originally reported. The Council therefore considers that the robustness of the impact assessment and the adequacy of proposed compensation should be examined further during Examination. The Council is particularly concerned by the scale of the increase in skylark and corn bunting territories identified through the corrected data. Across Sites 1-4, skylark territories increase by approximately 338% (from 16 to 70 territories) and corn bunting territories increase by approximately 1,350% (from 2 to 29 territories). In the Council's view these are not minor refinements to the baseline but represent a substantial change in the understanding of the breeding bird resource present within the affected agricultural landscape. The Council considers that this revised baseline should attract significant weight when considering the adequacy of proposed mitigation, compensation and monitoring measures for breeding farmland birds. The Council is concerned that the Proposed Development would result in the long-term conversion of extensive areas of arable land that currently support ground-nesting and arable-associated bird species. The Council considers that the Bird Mitigation Area should not be relied upon as the principal mechanism for addressing breeding farmland bird impacts. Its primary purpose is to mitigate the loss and disturbance of Functionally Linked Land for SPA/Ramsar qualifying species, particularly	indicated a requirement for approximately 30 ha of mitigation habitat. This is less than half of the area ultimately provided and does not consider the anticipated habitat uplift within the BMA, which would further increase its carrying capacity for all species. The Applicant further notes that the BMA was always designed to provide benefits for both breeding and non-breeding bird populations. As stated within the ES [APP-050], the original 65 ha BMA was intended primarily to mitigate effects on skylark and other ground-nesting bird species, see paragraph 12.17.13 of APP-050. At that stage, the assessment applied generic and undefined habitat assumptions 'natural grassland' (Fox, 2022), which indicated that the BMA was expected to provide mitigation for up to 50% of the predicted skylark impact (original stated territories). On a precautionary basis, the level of provision was considered sufficient. It is also important to note that the 65 ha is with the inclusion of 50m offsets from all boundary features within the BMA, without these, the BMA totals approximately 88 ha, which highlights an additional level of the Applicant undertaking a precautionary approach. Following the revised baseline, the function and carrying capacity of the BMA has been reviewed in greater detail. The Applicant considers that the generic habitat assumption used in the ES does not fully reflect the scale, quality, or targeted management proposed within the BMA [oLEMP]. The more detailed assessment of this is presented in the Technical Note – Updated Ground Nesting Bird Baseline [as submitted at Deadline 2] on this matter and provides a more representative basis for considering its contribution to breeding bird mitigation. The note was issued to North Yorkshire Council on 7th August 2026, and the Applicant acknowledges that, owing to the timing of the submission (D1), North Yorkshire Council has unlikely been unable to fully respond directly to the Technical Note within its Local Impact Report (LiR). Nevertheless, the Applicant invites North Yorkshire Council to fully review and consider the information and conclusions presented within the note and will continue engagement. In relation to North Yorkshire Council's concerns regarding the revised breeding bird baseline, the Applicant accepts that the updated data presents a materially higher baseline than that previously assessed in the ES Chapter 12 Ornithology [updated alongside this submission]. However, the reassessment considered multiple lines of evidence and assessment factors and concluded that the significance of effects remains unchanged. The Applicant also wishes to clarify that the number of territories recorded within the Order Limits represents only one component of the assessment and is not used in isolation as a determinant of significance. The assessment adopts a broader evidence-based approach, considering the conservation status of the species concerned, the scale and context of habitat loss which includes the existing baseline condition, the availability of suitable habitat within the BMA and Order Limits, and whether the population of the species concerned can be sustained and enhanced.

Reference ID	Theme(s)	Comment	Applicant Response
		non-breeding birds. Whilst the Bird Mitigation Area may provide ancillary benefits for some breeding species, the Council is not satisfied that it has been demonstrated to provide compensation that is proportionate to the revised number of breeding territories now known to occur across the development sites. This concern is particularly relevant for skylark and corn bunting, where the corrected survey data indicates substantially higher populations than those originally assessed within the ES. The Council considers that the Applicant has not demonstrated that the proposed mitigation provision would adequately compensate for the loss or displacement of these breeding territories. In addition, there are currently no clear objectives within the Outline Bird Mitigation Area Management Plan (OBMAMP) relating specifically to ground-nesting farmland birds and no monitoring provisions that would enable the effectiveness of the Bird Mitigation Area for these species to be evaluated. The Council considers that measurable objectives, monitoring requirements and adaptive management responses should be included if the Bird Mitigation Area is relied upon to contribute towards mitigation or compensation for breeding farmland birds. The Council is also concerned that the Bird Mitigation Area is located within an isolated part of the Proposed Development and is spatially remote from many of the development areas where displacement of breeding territories will occur. The ES does not provide a clear territory-based compensation framework linking loss of breeding habitat to replacement provision. This concern is heightened by the wider cumulative context. The surrounding landscape is subject to multiple large-scale solar and energy infrastructure proposals, many of which are likely to affect similar agricultural habitats and farmland bird assemblages. The Council considers that the cumulative loss of arable habitat, combined loss of breeding territories and capacity of the wider landscape to support displaced farmland birds has not been adequately quantified. The Council considers that cumulative arable land loss has been quantified for agricultural land purposes (Chapter 17), but the ecological function of that arable land for breeding farmland birds has not been equivalently quantified. The Council is not satisfied that the conclusion of no significant cumulative ornithological effect has been robustly demonstrated for breeding farmland birds. The Council therefore considers that further clarification is required regarding compensation for ground-nesting and farmland birds across the wider Solar Development Sites. The LEMP should include explicit species-specific objectives and management measures for farmland birds, potentially including retained or managed arable/arable-equivalent habitat, skylark plots, low-input cropping, cultivated margins or other targeted measures designed to provide functional replacement habitat for breeding birds. Monitoring should be territory based and should include clear success criteria and remedial measures if target outcomes are not achieved.	On the existing baseline point and conversion of arable land which supports ground nesting birds, the Applicant notes North Yorkshire Council's concerns regarding this point. The Applicant considers that the existing baseline is inherently variable and that conclusions regarding the value of individual fields or areas are based solely on a snapshot survey period and should be treated with caution. As highlighted in the Technical Note – Updated Ground Nesting Bird Baseline [as submitted at Deadline 2], land management and cropping rotation have been reviewed over 5 years. The land of which the species (corn bunting and skylark) were recorded in higher breeding densities/greatest number of territories (altered baseline-Solar Development Site 4-skylark and corn bunting) largely comprises winter crop/root and maize, which are not considered suitable or reliable in the long term and do not fully support overall species productivity and successful breeding, as crops are likely to be harvested mid-way through the breeding period and/or become too dense and unsuitable as the breeding period progresses (temporarily suitable). The Applicant notes that North Yorkshire Council's concerns relate principally to skylark and corn bunting. In respect of skylark, the Applicant engaged with the British Trust for Ornithology (BTO) in June to better understand the implications of the predicted impacts within both a local and national population context, providing additional context supporting the conclusion that the significance of effects remains unchanged Technical Note – Updated Ground Nesting Bird Baseline [as submitted at Deadline 2]). The Applicant considers that, when viewed alongside the wider evidence base and the proposed mitigation measures, the assessment presents a robust and proportionate evaluation of the effects on breeding bird populations. For skylark, the 83 territories recorded within the Order Limits represent approximately 0.1% of the estimated North Yorkshire population and if conservatively considered against either vice county population in isolation which encompasses the Order Limits, ~0.2% of VC61 and 0.3% of VC64, would be impacted without mitigation (see Technical Note – Updated Ground Nesting Bird Baseline [as submitted at Deadline 2]). For corn bunting, a comparable population could not be derived because the estimates are based on 2016 data, whereby skylark have remained stable and corn bunting have increased substantially throughout England. For context and provided in the Technical Note – Updated Ground Nesting Bird Baseline [as submitted at Deadline 2] in 2016 Breeding Bird Survey index score (relative measure of bird population abundance calculated annually) for corn bunting was 56 and the score now sits as 89 (~59% increase), similar to levels recorded in 1996. The population has recovered substantially. It is also important to note that recent evidence demonstrates that corn bunting can successfully nest within solar development boundaries (Secker, 2026). This paper was published in April 2026, following submission of the Application, and is therefore new evidence that was not available at the time of submission, however this

Reference ID	Theme(s)	Comment	Applicant Response
		The Council notes that the Applicant has stated that the revised skylark baseline does not alter the conclusions of the ES and has relied upon the proposed Bird Mitigation Area as the principal response to this issue. However, the Council considers that the substantial increase in breeding territory numbers raises legitimate questions regarding whether the extent, location and management of the proposed mitigation are sufficient to compensate for the scale of habitat loss and displacement now understood to arise. The Council therefore invites the Examining Authority to seek further justification from the Applicant regarding the relationship between the corrected breeding bird baseline, the predicted losses of breeding territories and the compensatory capacity of the Bird Mitigation Area and wider ecological mitigation proposals.	further confirms the unaltered conclusions of the ES. The findings are also reflected in the Technical Note - Updated Ground Nesting Bird Baseline [as submitted at Deadline 2]. This evidence further supports the conclusion that reliance on a dedicated mitigation area for corn bunting alone would be disproportionate. The evidence indicates that solar development can provide suitable nesting and foraging opportunities for the species and may, depending on the design and management of the development, provide a net benefit. Accordingly, when considered alongside the updated baseline and all other available evidence, there is no basis to alter the conclusion presented in the Environmental Statement. The Applicant does not consider that a territory-for-territory compensation framework is established or appropriate basis for determining ecological significance. Instead, the adequacy of mitigation has been assessed having regard to habitat functionality, carrying capacity, population context and the long-term management of the BMA. The Applicant also disagrees that the BMA provides mitigation for non-breeding birds alone. The Applicant also notes North Yorkshire Council's concerns regarding the spatial separation between the Bird Mitigation Area (BMA) and the southern cluster of Solar Development Sites (Sites 2-8, excluding Site 5). However, the Applicant does not agree that the location of the BMA materially reduces its effectiveness for breeding farmland birds. While the Applicant acknowledges that the BMA is not immediately adjacent to all areas of potential impact, it is situated within the same wider agricultural landscape and county and provides suitable habitat for the breeding bird assemblage considered within the assessment. Species such as skylark are highly mobile within the farmed landscape, and the distribution of territories can vary considerably between years in response to changing cropping patterns, agricultural practices and habitat availability. Consequently, the provision of mitigation habitat is not dependent upon creating replacement habitat immediately adjacent to every territory recorded during a particular survey year, nor would such an approach be proportionate. Further to this, enhancements including field margins and other areas of proposed neutral grassland are proposed throughout the Solar Development Sites. It should also be noted that, like all passerines, skylarks are short-lived birds (with a typical lifespan of 2-3 years); as such mitigation for these species are always based on maintaining populations over time, rather than attempting to persuade individual birds to relocate. Finally, and importantly, the Applicant highlights that breeding productivity (number of chicks raised) is substantially improved in grassland versus typical winter sown arable crops and this is a vital distinction; BTO research shows that skylark breeding productivity is lower in intensive winter cereals than in grassland and set-aside/fallow habitats. Wilson and Browne (1993)¹

¹ Wilson, J.D. and Browne, S.J. (1993) *Habitat selection and breeding success of Skylarks (Alauda arvensis) on organic and conventional farmland*. BTO Research Report No. 129. Thetford: British Trust for Ornithology.

Reference ID	Theme(s)	Comment	Applicant Response
			found that productivity was particularly low in winter wheat and winter barley (0.26 and 0.29 fledglings per pair respectively), compared with 1.52 in silage grass, 1.25 in cut grass set-aside and 1.67 in naturally regenerating set-aside. Grazed pasture recorded no fledged young in the study. As such it can be confidently concluded that the BMA will lead to increased breeding output from those pairs of skylark which use it. The purpose of the BMA is to provide a substantial area of suitable, secure and long-term habitat capable of supporting breeding farmland bird populations at the local scale. The Applicant is not aware of any established policy, guidance or evidence-based requirement that mitigation habitat must be co-located with, or immediately adjacent to, each territory that may be affected by the Proposed Development. Rather, the relevant consideration is whether the mitigation delivers habitat of sufficient quantity, quality and security to maintain the affected bird populations. The Applicant considers that the proposed BMA achieves this objective and provides a robust and effective mitigation solution for breeding farmland birds. Cumulative effects have also been considered within the ES Chapter 12 Ornithology [APP-050], and are further discussed in the Technical Note – Updated Ground Nesting Bird Baseline [as submitted at Deadline 2]. The Applicant acknowledges that monitoring measures are limited to non-breeding birds specifically within the oBMAMP, but the Applicant has updated the oLEMP so that monitoring measures can be secured in the final document for ground nesting birds. The Applicant has updated the oLEMP for Deadline 2 to include ground nesting bird objectives, together with targeted habitat management measures designed to enhance nesting and foraging opportunities throughout the operational lifetime of the Proposed Development within the BMA and the Solar Development Sites. The Applicant does not consider fixed numerical territory thresholds to be an appropriate measure of success, given the natural variation of the species to be managed and the influence of factors beyond the control of the development. Success criteria will instead relate to the delivery of suitable habitat, evidence of use by species (i.e. behaviour) and where necessary, adaptive management. See the updated oLEMP.
LIR-NYC-106	Ornithology	Bird Mitigation Area and Habitats Regulations Assessment The Council recognises that the Bird Mitigation Area provides a structured response to the loss and disturbance of Functionally Linked Land associated with qualifying bird species of the Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar. The principle of a dedicated mitigation area is welcomed and appears to be supported by a substantial ornithological evidence base and engagement with Natural England. Given the reliance placed on the Bird Mitigation Area within the Shadow HRA, the Council considers that greater certainty is required regarding its detailed design, hydrological feasibility, performance targets, monitoring	The Applicant notes North Yorkshire Council's response. As set out in Response [LIR-NYC-38], the size of the Bird Mitigation Area (BMA) was derived using bird-day calculations, which identified a requirement of approximately 15 ha without accounting for inter-annual variability, increasing to approximately 30 ha when a precautionary allowance for inter-annual variability was applied. Importantly, these calculations were based on SPA data derived from habitats considered to be optimal for the target non-breeding bird species. In contrast, the existing baseline conditions within the proposed BMA are not currently considered optimal, a conclusion supported by the episodic and unpredictable distribution and nature of bird use documented within the Technical Appendix (TA). As such, the assessment already adopts a precautionary approach by applying carrying-

Reference ID	Theme(s)	Comment	Applicant Response
		arrangements and adaptive management. The Council notes that the Shadow HRA relies on a single year of ornithological survey data supplemented by desk-based evidence and precautionary buffers. Whilst this approach has been accepted in principle by Natural England, it introduces residual uncertainty concerning inter-annual variability in bird use. The Council considers that the Outline Bird Mitigation Area Management Plan should be strengthened by defining measurable success criteria, monitoring thresholds, remedial triggers and contingency measures. In particular, the detailed plan should explain how success will be measured, how the effectiveness of the mitigation area in supporting displaced birds will be demonstrated, and what actions will be taken if monitoring indicates that target outcomes are not being achieved.	capacity assumptions derived from higher-quality habitat conditions, notwithstanding the substantial habitat enhancements proposed within the BMA that are expected to increase its suitability for target species over time. The Applicant considers that this approach already incorporates a significant degree of precaution. Importantly, the 30 ha requirement was calculated without taking account of any habitat uplift associated with the proposed habitat creation and management measures. Consequently, the provision of 65 ha of mitigation habitat represents a further precautionary step, with the anticipated habitat enhancements expected to increase the carrying capacity of the site beyond that assumed within the bird-day calculations. These enhancements include the establishment of botanically diverse grassland through reseedling, appropriate sward management, hydrological enhancements, and the diversion of Public Rights of Way to reduce disturbance. In addition, the BMA will be subject to long-term management and monitoring, which are widely recognised as key factors in achieving successful ecological outcomes. The Applicant therefore considers that the proposed mitigation strategy incorporates multiple layers of precaution. Not only does the BMA substantially exceed the area identified through the bird-day calculations, but it will also deliver habitat enhancements and ongoing management measures that are expected to further increase its value for target bird species. These measures will be secured through the final Bird Mitigation and Management Plan (BMAMP)]. The Applicant notes North Yorkshire Council's comments with regard to measurable targets. The Applicant considers that the Outline Bird Mitigation and Management Plan (BMAMP) [APP-205] already establishes a clear framework for the development of measurable success criteria, monitoring requirements, reporting mechanisms and adaptive management measures, which are to be agreed in consultation with North Yorkshire Council and Natural England through the detailed BMAMP. Section 4.9 of the Outline BMAMP [APP-205] specifically provides for the agreement of measurable targets against which the success of the Bird Mitigation Area (BMA) will be assessed. These are anticipated to include habitat-based criteria, such as the extent and quality of grassland established, sward characteristics and the absence of negative indicator species, together with hydrological performance indicators relating to the retention of water within scrapes and wet grassland features. In addition, annual breeding and non-breeding bird surveys will be undertaken to monitor the response of target species and assess the effectiveness of the mitigation measures. The Outline BMAMP [APP-205] further requires monitoring to be undertaken by an appointed Nature Conservation Professional, with the

Reference ID	Theme(s)	Comment	Applicant Response
			results reported through an agreed review process. Importantly, the document confirms that the process for reporting, reviewing performance against agreed targets, and determining any remedial actions where targets are not being met, will be agreed with North Yorkshire Council and Natural England as part of the approval of the detailed BMAMP. The Applicant also notes that the Outline BMAMP [APP-205] commits to an adaptive management approach throughout the lifetime of the Proposed Development. Under this approach, monitoring outcomes will inform any necessary amendments to management prescriptions to ensure that the mitigation remains effective. Consequently, the Applicant considers that the principles of measurable success criteria, monitoring thresholds, remedial triggers and contingency measures are already embedded within the Outline BMAMP [APP-205], with the detailed metrics and intervention thresholds appropriately reserved for agreement through the detailed BMAMP once baseline conditions, habitat establishment proposals and monitoring methodologies have been finalised.
LIR-NYC-107	Biodiversity and Ecology	Biodiversity Net Gain The Council welcomes the Applicant's commitment to Biodiversity Net Gain. The submitted BNG Report and associated metric predict substantial gains in habitat, hedgerow and watercourse units, significantly exceeding the anticipated minimum 10% requirement. The Council considers that the Proposed Development has the potential to deliver a significant biodiversity benefit over the existing baseline, particularly through the conversion of intensively managed agricultural land to species-rich grassland, wetland and other semi-natural habitats. The Council accepts that, in the context of NSIP delivery, BNG is appropriately focused on the permanent Solar Development Sites rather than temporary working areas such as the Cable Route Corridor and Highway Improvement Areas, which will largely be reinstated following construction. However, the Council considers that further clarity is required regarding how the predicted BNG outcomes will be secured, monitored and audited over the lifetime of the development. The Council notes that a substantial proportion of the predicted BNG is associated with grassland habitats proposed within and around the Solar Development Sites, including areas located beneath solar arrays. The Council recognises that appropriately designed and managed solar developments can deliver meaningful biodiversity enhancements and does not dispute the principle that grassland habitats can be successfully established beneath solar panels. The Council notes that the Biodiversity Metric and associated guidance do not contain a specific habitat classification for land beneath solar arrays and that professional judgement is therefore required when assigning habitat condition. Given the emerging evidence that vegetation communities beneath panels may function differently from adjacent unshaded grassland, the Council considers that	The Applicant notes this comment. The oLEMP already contained details of condition targets, ecological success criteria, and management prescriptions for habitats. The oLEMP [updated alongside this submission] to provide more detail on how the predicted BNG outcomes will be secured, monitored and audited over the lifetime of the development. The oLEMP [updated alongside this submission] has also been updated to detail clear adaptive management triggers, remedial actions, and monitoring commitments demonstrating that the target condition can realistically be achieved and maintained for the under-panel habitats. The Applicant confirms that the oLEMP [updated alongside this submission] has been updated to clearly identify reporting arrangements and remedial measures where habitats fail to achieve or maintain the condition assumptions relied upon within the metric. Monitoring frequency will be confirmed in the final BNG Strategy and detailed LEMP. The DCO requires a minimum 10% gain to be achieved. However it also requires the Applicant's BNG strategy to be in substantial accordance with the Outline LEMP. The Outline LEMP [updated alongside this submission] sets out the Applicant's ecological habitat proposals, which lead to the conclusions set out in the BNG Report. As such, the BNG that will be delivered will be well over 10%.

Reference ID	Theme(s)	Comment	Applicant Response
		Examination should explore whether the condition assumptions applied to under-panel habitats represent a realistic and precautionary assessment of the biodiversity value likely to be delivered across the lifespan of the development, which should be supported by clear evidence, management prescriptions and monitoring commitments demonstrating that the target condition can realistically be achieved and maintained. The Council considers that the focus should be on demonstrating the habitat condition that is likely to be achieved and maintained over the operational life of the development. Whilst this does not presently alter the Council's overall view that the Proposed Development can deliver significant biodiversity gains, it may influence the confidence that can be placed in the scale of gains currently reported. The final BNG Strategy and detailed LEMP should clearly identify habitat condition targets, monitoring frequency, reporting arrangements, and remedial measures where habitats fail to achieve or maintain the condition assumptions relied upon within the metric. The Council also wishes to understand whether the substantial unit gains presented in the submitted assessment are intended to be secured through the final approved scheme, or whether the Applicant is only committing to a minimum 10% gain. The Council would be concerned if the significant biodiversity gains currently presented were progressively eroded through detailed design without appropriate scrutiny. The Council also considers that monitoring should specifically verify the condition achieved by habitats established beneath solar arrays where these areas contribute materially towards the Biodiversity Net Gain calculations relied upon by the Applicant.	
LIR-NYC-108	Biodiversity and Ecology	Outline Landscape and Ecological Management Plan The Council considers that the oLEMP provides a generally appropriate framework for habitat creation, enhancement and long-term ecological management. It contains a range of measures likely to deliver biodiversity benefits, including hedgerow planting, grassland creation, ditch management, woodland and scrub planting, wildlife features and long-term management prescriptions. However, the Council considers that the oLEMP should be strengthened. The document is primarily habitat-led and would benefit from clearer species-specific objectives, particularly for farmland birds, water vole and bats. The Council also considers that the oLEMP should include more explicit ecological success criteria, monitoring thresholds, reporting requirements, adaptive management triggers and remedial actions. Greater certainty is required to ensure that ecological outcomes are measurable, enforceable and capable of being reviewed over the operational life of the development in order that we can be confident that the conclusions of the ES and BNG outcomes are achievable.	The Applicant confirms the oLEMP [updated alongside this submission] has been strengthened with regards to species-specific requirements including for farmland birds, water vole and bats. Measurable targets for protected species will be agreed through consultation with North Yorkshire Council and Natural England, where relevant, and defined in the detailed LEMP. The oLEMP [updated alongside this submission] has also been updated to include more explicit ecological success criteria, monitoring thresholds, reporting requirements, adaptive management triggers and remedial actions.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-109	Biodiversity and Ecology	Construction, operation and decommissioning environmental management The Council considers that the oCEMP provides a generally appropriate framework for managing ecological effects during construction. It includes the principal measures required for ecological protection, pollution prevention, retained habitat protection, protected species safeguards and ecological supervision. However, the Council considers that it should be strengthened through clearer provisions regarding the authority of the Ecological Clerk of Works (ECoW), stop-work procedures, ecological incident reporting, management of materially different outcomes from pre-construction surveys, compliance monitoring and measurable lighting and habitat protection controls. The Council also considers that the final CEMP and associated ecological management documents should clearly identify the process for reviewing and approving fencing designs where these are relied upon as mitigation for mammal movement and habitat connectivity. The Council considers that the oOEMP provides an appropriate framework for managing operational ecological effects arising from maintenance, repair and replacement activities. However, further clarity is required regarding the relationship between the OEMP and LEMP, operational ecological monitoring and reporting, governance over the operational lifetime, and processes for addressing unforeseen ecological effects or conflicts with BNG objectives. The Council considers that the oDEMP provides an appropriate high-level framework for decommissioning but notes that detailed ecological mitigation cannot reasonably be prescribed at this stage given the anticipated operational lifespan. However, the oDEMP should identify all relevant ecological receptors assessed within the ES, including otter and water vole, and should recognise that the ecological baseline at decommissioning may be substantially more valuable than the existing baseline. The Council considers that further consideration should be given to the retention and legacy of habitats established through BNG, the LEMP and the Bird Mitigation Area.	The Applicant confirms the oCEMP [updated alongside this submission] has been strengthened with clearer provisions regarding the authority of the Ecological Clerk of Works (ECoW), stop-work procedures, ecological incident reporting, management of materially different outcomes from pre-construction surveys, compliance monitoring and measurable lighting and habitat protection controls. Clarity has been added to the oOEMP [updated alongside this submission] and oLEMP [updated alongside this submission] regarding the relationship between the two documents, operational ecological monitoring and reporting, governance over the operational lifetime, and processes for addressing unforeseen ecological effects or conflicts with BNG objectives. oDEMP [updated alongside this submission] has been updated to ensure all relevant species types assessed within the ES are considered, including otter and water vole, and includes that the ecological baseline at decommissioning may be substantially more valuable than the existing baseline. The Applicant welcomes any specific change proposals from the Council to the various management plans if it considers further certainty is required.
LIR-NYC-110	Biodiversity and Ecology	The Council considers that the draft DCO includes the principal mechanisms required to secure ecological mitigation, compensation, enhancement and monitoring. The key ecology related Requirements are Requirement 6, securing the Landscape and Ecological Management Plan; Requirement 7, securing the Bird Mitigation Area Management Plan; Requirement 8, securing Biodiversity Net Gain; Requirement 9, securing details of fencing; Requirement 12, securing the Construction Environmental Management Plan; Requirement 13, securing the Operational Environmental Management Plan; and Requirement 19, securing the Decommissioning Environmental Management Plan.	The Applicant notes this comment.
LIR-NYC-111	Biodiversity and Ecology	The Council is broadly satisfied that the draft DCO provides an appropriate framework for securing ecological controls. However, the Council considers that further clarification and, where necessary, amendments to the Requirements and certified documents are required to ensure that ecological outcomes are secured with sufficient certainty.	The Applicant notes this comment.

Reference ID	Theme(s)	Comment	Applicant Response
LIR-NYC-112	Biodiversity and Ecology Ornithology	In particular, the Council considers that the DCO and certified documents should provide clearer mechanisms for species specific compensation and monitoring for ground-nesting and farmland birds, including consideration of the revised breeding bird baseline for Solar Development Sites 1 - 4; water vole pre-commencement surveys, mitigation, licensing triggers and response mechanisms; clearer ecological design parameters and approval mechanisms relating to operational fencing, habitat connectivity and terrestrial mammal permeability across the Solar Development Sites; measurable ecological success criteria for the oLEMP and Bird Mitigation Area; Bird Mitigation Area performance targets, hydrological feasibility, contingency measures and adaptive management triggers; BNG habitat condition monitoring, reporting and remedial action; stronger linkage between monitoring outcomes and required management responses; long-term ecological governance over the operational life of the development and consistent treatment of ecological receptors across construction, operation and decommissioning documents.	The Applicant notes this comment and confirms that the associated documents have been updated to reflect these additional measures, including the oCEMP [updated alongside this submission], oLEMP [updated alongside this submission], oOEMP [updated alongside this submission], oDEMP [updated alongside this submission], Design Parameters and Commitments Document [updated alongside this submission] , Appendix 6.6 GCN Report and Chapter 6 – Biodiversity [updated alongside this submission]. With regard to ground-nesting birds, the updated oLEMP [updated alongside this submission] includes a programme of monitoring and adaptive management measures. This provides for both habitat and bird monitoring within the Bird Mitigation Area and the Solar Development Sites, with remedial management measures to be implemented where monitoring identifies that intervention is required to maintain the effectiveness of the mitigation through habitat management. As noted in response LIR-NYC-137, measurable criteria is already set out for non-breeding birds within the oBMAMP
LIR-NYC-113	Biodiversity and Ecology Ornithology	The Council notes that the draft DCO relies upon a range of future monitoring, reporting and approval processes in relation to BNG, habitat management, ecological mitigation and the Bird Mitigation Area. Whilst the principle of this approach is accepted, the Council notes that these mechanisms will require ongoing regulatory oversight throughout the operational lifetime of the development. The Council therefore considers that the practical arrangements for the review of monitoring information, approval of remedial measures and recovery of reasonable costs where appropriate, associated with discharging these functions may warrant further consideration during Examination.	The Applicant notes this comment.
LIR-NYC-114	Biodiversity and Ecology	The Council does not presently identify a fundamental ecological objection to the draft DCO framework. However, the Council considers that the adequacy of the DCO will depend on whether the above matters are satisfactorily addressed through Examination and, where necessary, reflected in amended Requirement wording and certified documents.	The Applicant notes this comment.