

Light Valley Solar

08.22 The Applicant's Response to Nick Billingham Deadline 1 submissions

September 2026

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The Infrastructure Planning (Examination Procedure) Rules 2010
Rules 8(1)(c)

A stylized graphic in the bottom left corner of the page. It features a large, bright yellow semi-circle representing a sun or a hill, partially obscured by a dark teal semi-circle. Below these, there are two green shapes: a light green semi-circle and a darker green, leaf-like shape, suggesting rolling hills or vegetation.

Light Valley
Solar

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Light Valley Solar

The Applicant's Response to Nick Billingham Deadline 1 submissions

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1 Introduction

1.1 Purpose of the Document

- 1.1.1 An application (the Application) was made to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (DCO) under Section 37 of the Planning Act 2008 (PA 2008) for Light Valley Solar (The Proposed Development). The Application was submitted by Light Valley Solar Limited (the Applicant) on 10 February 2026 and was accepted for examination on 9 March 2026.
- 1.1.2 Light Valley Solar Ltd. (the Applicant) submitted its response to submissions received at Deadline 1 from Interested Parties in September 2026.
- 1.1.3 This document provides the Applicant's response to **Nick Billingham [REP1-048]**. As this submission contains a large number of specific questions, the Applicant has taken additional time to ensure that each matter raised is appropriately considered and addressed. The Applicant has therefore prepared this document following Deadline 2 to provide a full response to the matters raised and ensure that all relevant issues are addressed as part of the Examination.

Table 1.1: List of Acronyms for Submission Document

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

1.2 Structure of the Document

1.2.1 This document provides a response from the Applicant to the matters raised in Nick Billingham's Deadline 1 submission **[REP1-048]** and is structured as follows:

- **Table 1.1** sets out the list of acronyms used within this document.
- **Section 2** of this document sets out the Applicant's response to the main body of **[REP1-048]**. The submission is structured across 16 sections or subheadings, 11 of which raise substantive matters requiring a response from the Applicant. These matters are addressed in Sections 2.1 to 2.11, grouped by topic. Sections 1, 2, 14, 15 and 16 of the submission comprise introductory, contextual or concluding material, or consolidate matters addressed elsewhere in the submission, and are therefore not responded to separately.
- **Section 3** of this document sets out the Applicant's response to the individual questions contained within **Appendix C of [REP1-048]**.

1.2.2 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.

2 The Applicant's Response to REP1-048 – Sections 1 to 16

2.1 Consultation, notification, accessibility and unanswered queries

Interested Party's comments – RR-1051 Section 3

Applicant response references: ENG-02 (p.182), ENG-03 (p.184), ENG-09 (p.186), ENG-15 (p.190); also ENG-08, although RR-1051 is not listed against that row.

What the Applicant says

The Applicant relies on the SoCC, newspaper advertising, Local Information Points, events, an online webinar, Royal Mail address data, more than 12,500 Phase One postcards, statutory consultation within a 2 km Core Consultation Zone, the acceptance decision and North Yorkshire Council's adequacy response. It acknowledges that some addresses received a Phase Two postcard but not a Phase One postcard because the consultation zone changed. ENG-09 nevertheless says that addresses close to Sites 6-8 "will have received" a Phase One postcard because South Milford was within the earlier zone. ENG-03 accepts that not every question could be answered at events and says residents were encouraged to submit questions later. ENG-15 says errors are corrected in the normal course and that no identified error affects the substance of the application.

What remains unanswered or inadequate

- **Address-specific notification evidence is missing.** The response does not provide the dispatch list or audit trail for the property and streets said not to have received Phase One material. Nor does it answer the supporting correspondence recording that named project representatives said they would investigate why postcards had not been received.
- **The postcard figures are not reconciled.** The consultation concern referred to an AoCM statement that 14,000 postcards were sent, while Part 2 refers to more than 12,500. The response does not explain the difference, the phases covered, undeliverable or duplicate addresses, or the number actually delivered.
- **Specific timing and error allegations are not answered.** There is no direct response to the allegation that the first statutory postcard arrived on 1 July 2025 only three days before events began, or that an event time or location was wrong. A statement that events occurred at varied times does not establish that the notice given for the affected community was adequate.
- **No South Milford event is only answered generically.** The Applicant points elsewhere to nearby venues and a webinar, but does not explain the decision not to hold an event in the newly affected community, the travel/access implications, or what additional measures were taken for residents close to Sites 6-8.
- **The statutory and community consultee points are not dealt with individually.** Part 2 does not provide a direct answer on Leeds City Council at Phase One, Gateforth Parish Council, Thorpe Willoughby Parish Council, the asserted Gateforth distance error, or the information North Yorkshire Council requested for consultation materials.

- **Accessibility is answered by process, not evidence.** The response lists possible alternative formats and venue accessibility, but does not address the allegations about technical language, low contrast, labelling, plain-English presentation, targeted equality outreach, or whether any accessibility review was undertaken.
- **The unanswered-query complaint remains unresolved.** ENG-03 supplies no log of questions, dates, written responses, contradictions or response times. Telling residents to resubmit questions does not show that acknowledged questions were answered.
- **There is no correction schedule.** ENG-15 does not identify the documents affected, error, correction date, version, notification method or assessment of possible prejudice. It also does not answer the complaint that the public-facing project description remained out of date at a critical point, regardless of who technically controlled the webpage.
- **Hambleton Hough material is not addressed.** The supporting correspondence says residents asked for construction traffic and public-rights-of-way plans for the compound and were directed to an irrelevant map. No specific response or document trail is provided.

Requested examination action: Require a consultation evidence schedule showing, for each disputed matter: the source address dataset; relevant address or street entry; dispatch date and item; returned-mail data; the 12,500/14,000 reconciliation; the event correction and re-notification record; a log of substantive questions and written answers; the statutory and parish consultee list with dates; the accessibility/equality review; the Hambleton Hough traffic/PROW materials supplied; and a document correction/version log. The Applicant should explain any prejudice and remedy, not rely only on acceptance or general compliance assertions.

Applicant's reply

The Applicant does not accept that the consultation process was inadequate. The consultation undertaken for Light Valley Solar is fully documented in the **Consultation Report [APP-024]** and its Appendices **[APP-025 to APP-037]**. The Planning Inspectorate expressly considered the Consultation Report, the Adequacy of Consultation Representations and correspondence raising concerns about consultation. It concluded that the Applicant had complied with its statutory obligations and confirmed that consultation had been carried out in accordance with the Statement of Community Consultation (SoCC). All six local authorities that responded to the Planning Inspectorate's invitation, including North Yorkshire Council and Leeds City Council, either confirmed compliance with sections 42, 47 and 48 of the Planning Act 2008 and/or raised no comments or objections. The application was subsequently accepted for Examination (**Section 55 Checklist [PD-001]**).

The Applicant nevertheless responds to the specific matters raised below.

Direct notification and postcard figures

The figures of more than 12,500 and more than 14,000 do not represent conflicting accounts of the same mailing. More than 12,500 properties were contacted as part of the non-statutory Phase One consultation, which ran from 24 October to 5 December 2024. The Phase Two statutory Core Consultation Zone (CCZ) was larger and more than 14,000 properties were contacted. Phase Two ran from 26 June to 7 August 2025.

There were two Phase Two postcard mailings, each to more than 14,000 properties. The first publicised the commencement of statutory consultation, consultation events and response deadline. The second notified residents of the change of the Escrick event venue following the closure of Queen Margaret's School. This is detailed within the **Consultation Report [APP-024]** and **Consultation Report Appendix 6: Phase Two Consultation Materials (Part A) [APP-030]**.

For clarity, the published consultation record establishes the following:

- **Phase One:** consultation commenced on 24 October 2024, with a community postcard distributed to more than 12,500 properties (see **Consultation Report Appendix 2: Phase One Consultation Materials [APP-026]**).
- **Phase Two:** statutory consultation commenced on 26 June 2025. The first Phase Two postcard, issued to more than 14,000 properties, went to print and postage on 13 June 2025. The statutory Section 42 letters were separately posted 1st class on 25 June 2025 (see **Consultation Report Appendix 6: Phase Two Consultation Materials (Part A) [APP-030]** and **Appendix 7: Section 42 Consultation Materials [APP-032]**).
- **Escrick venue change:** following confirmation on 20 June 2025 of the replacement venue, a second postcard was issued to more than 14,000 properties to communicate the change (as detailed in the **Consultation Report [APP-024]** and **Appendix 6: Phase Two Consultation Materials (Part A) [APP-030]**).

The Applicant does not hold address-specific delivery records that would allow receipt, or the date of receipt, at an individual property to be verified retrospectively. However, the consultation materials were distributed using established postal notification methods. All postcards were distributed through Royal Mail using 1st and 2nd class post, with test mailings also sent to selected addresses to confirm that the postcards were being received. These are standard and appropriate methods for notifying properties within a CCZ of this nature. The first Phase Two postcard had gone to print and posted out ahead of the start of statutory consultation, and a second postcard was subsequently issued specifically to communicate the Escrick venue change.

The Applicant therefore considers the postcard figures and mailing exercises to be fully explained. The Applicant notes that postal distribution was also only one part of a wider consultation notification exercise, which included statutory notices, newspaper advertising, the project website, consultation events, an online webinar and Local Information Points.

South Milford and Sites 6–8

The suggestion that residents around Sites 6–8 were only provided with generic consultation opportunities is not correct. In addition to nearby Phase Two events at Sherburn-in-Elmet and Monk Fryston and the online webinar, the Applicant undertook targeted engagement following the introduction of Sites 6–8. On 9 April 2025, the Applicant wrote directly to 45 properties within 50 m of Sites 6, 7 and 8, explaining the

change and providing an accompanying plan. The **Consultation Report [APP-024]** also records individual engagement with properties on Common Lane, South Milford.

The Phase Two event locations were agreed with North Yorkshire Council through consultation on the SoCC. It was not considered necessary or proportionate to hold a separate event in every settlement within the consultation area. The Applicant's approach was not based on geographical representation of every settlement individually, but on ensuring reasonable access to consultation opportunities across the affected area. The Applicant's approach built on the locations used during Phase One, with the event venues reviewed and adapted for Phase Two where relevant to reflect changes to the Proposed Development and land included within the scheme. This ensured that consultation opportunities remained appropriately located in relation to the affected communities and the updated extent of the Proposed Development. South Milford residents had access to nearby events at Monk Fryston and Sherburn-in-Elmet, both within approximately two miles of the village, as well as the community webinar. The Applicant therefore considers that appropriate opportunities were provided for South Milford residents to participate (see **Consultation Report Appendix 4: Statement of Community Consultation Materials [APP-028]**, **Appendix 6: Phase Two Consultation Materials (Part A) [APP-030]** and **The Applicant's Response to Relevant Representations Part 2 [AS-036]**).

Timing and event information

Phase Two consultation lasted 42 days, from 26 June to 7 August 2025, exceeding the statutory minimum, with six in-person events and an online webinar held between 4 and 21 July 2025.

The Applicant does not consider the documented Escrick venue change evidence of inadequate consultation. When the original venue became unavailable, an alternative was secured for the same date and time and the change was communicated through a second CCZ-wide postcard, website updates, notices at the former venue and an update to the SoCC, as detailed in the **Consultation Report [APP-024]** and shown in **Appendix 6: Phase Two Consultation Materials (Part A) [APP-030]**.

Statutory and community consultees

The Applicant complied with its statutory consultation obligations. The Planning Inspectorate independently confirmed at acceptance that the relevant Section 42 consultees and local authorities had been consulted and that statutory consultation requirements had been met (**Section 55 Checklist [PD-001]**).

Consultation Report Appendix 7: Section 42 Consultation Materials [APP-032] records the statutory consultee exercise, including Gateforth Parish Council and Thorpe Willoughby Parish Council, while Leeds City Council was consulted as a Section 43 local authority. **Consultation Report Appendix 12: Section 42 Applicant Response Table [APP-037]** records substantive responses from Leeds City Council and Thorpe Willoughby Parish Council. The fact that Phase One was a non-statutory exercise

should not be confused with the statutory Phase Two consultation.

The Applicant notes that the original Relevant Representation (RR-1051) does not identify any specific concerns relating to Gateforth Parish Council, an alleged Gateforth distance error, or associated consultation matters. The Applicant has reviewed correspondence received through the dedicated project inbox and has not identified correspondence raising the additional Gateforth-related matters subsequently referred to in **REP1-048**. These matters were not identified within RR-1051 or the correspondence records reviewed by the Applicant.

North Yorkshire Council was consulted on the draft SoCC, its comments were considered and changes were made before publication. The Planning Inspectorate subsequently confirmed that it was satisfied the Applicant had had regard to those comments (**Consultation Report [APP-024], Section 55 Checklist [PD-001]**). North Yorkshire Council also confirmed during the Adequacy of Consultation Milestone process that it had no comments on the Applicant's AoCM and considered the proposed approach to Targeted Consultation proportionate.

Accessibility

The Applicant does not accept that the consultation approach failed to consider accessibility. The consultation did not rely solely on accessible venues or alternative-format provision, but ensured that the venues used for information events were both accessible for those with mobility issues, and were close to public transport links. Prior to statutory consultation, the Applicant contacted identified seldom-heard and gateway organisations to seek guidance on measures to improve accessibility. North Yorkshire Council subsequently proposed seven additional organisations, which were added to the consultation approach and contacted, as explained within the Consultation Report **[APP-024]** and **Appendix 4: Statement of Community Consultation Materials [APP-028]**.

Whilst a standalone accessibility review was not undertaken, accessibility considerations formed part of the development of the SoCC, which was consulted on with North Yorkshire Council and the Planning Inspectorate, with comments considered and changes made prior to publication, as described above.

The Applicant also sought to present consultation information in an accessible and understandable way. The consultation website was designed to be clear and navigable, while **Environmental Statement Volume 4: Non-Technical Summary [REP2-087]** provided a non-technical overview of the Environmental Statement. Consultation materials could also be requested in alternative formats, including large print, audio and braille. Where consultees requested additional or replacement materials, including maps and plans, these were provided where appropriate, and compressed versions of documents were made available online to improve usability.

The Applicant therefore considers that appropriate and proportionate measures were taken to support accessibility and enable meaningful engagement with the consultation

process.

Questions and responses

Formal Section 47 feedback and the Applicant's responses are recorded in **Consultation Report Appendix 11: Section 47 Applicant Response Table [APP-036]**. The fact that every detailed question could not necessarily be answered immediately at an information event does not indicate a failure of consultation; project communication channels remained available for follow-up enquiries throughout the pre-application period. The Applicant notes that, where feedback submissions were made via email to the project inbox, it did not provide a separate individual response to each submission or address each question or concern raised within a submission. Instead, all feedback received as part of the statutory Phase Two and Targeted Consultations was considered and responded to collectively within the **Section 47 Applicant Response Table [APP-036]**. This approach ensured that matters raised by consultees were captured transparently and addressed consistently as part of the Consultation Report process. Where correspondents had contacted the project inbox expecting a response prior to the conclusion of consultation, they were informed that responses to feedback would be published within the Consultation Report.

The Applicant did not maintain a separate standalone log of every question received across the pre-application phase; however, all formal consultation responses were captured and addressed through the Section 47 Applicant Response Table.

Section 49 of the Planning Act 2008 requires the Applicant to take account of responses received during pre-application consultation. As consultation was considered adequate by relevant local authorities and the application accepted by PINS, the Applicant considers that the approach taken was sufficient.

Corrections and document control

The Applicant does not accept that routine corrections or document revisions demonstrate inadequacy of consultation. The Application and Examination Library provide a clear document trail, including superseded and revised documents. Where corrections were required, these were addressed through updated documents, revised publication versions and, where relevant, notification to affected consultees. The Applicant does not consider that any correction resulted in prejudice to consultees' ability to understand or respond to the Proposed Development. Where an identified issue required public re-notification, this was undertaken, as demonstrated by the Escrick venue change.

Hambleton Hough

The Applicant notes that the original Relevant Representation makes only a general reference to "Hambleton Hough and other sensitive areas" being under-assessed, without identifying a specific deficiency in the assessment. The Applicant has reviewed correspondence available through the dedicated project inbox and has not identified

correspondence raising the additional Hambleton Hough matters subsequently referred to in **REP1-048**, including requests for construction traffic or Public Rights of Way plans for the compound.

Nevertheless, Hambleton Hough has been specifically considered within the Application documentation and in the Applicant's responses during the Examination. **ES Volume 1, Chapter 10: Landscape and Visual [APP-048]** identifies Hambleton Hough as a Locally Important Landscape Area and assesses potential effects upon it. **The Applicant's Response to Relevant Representations Part 2 [AS-036]**, including responses **BIO-37** and **LAN-34**, further confirms that Hambleton Hough was considered in relation to ecology, landscape and visual effects. This includes consideration of the nearby priority habitat deciduous woodland and assessment of the effects of the Cable Route Corridor, including the relationship with Cable Construction Compound 4. **ES Volume 3, Appendix 10.4: Photography and Photomontages [REP2-076]** also includes representative assessment material from publicly accessible locations at Hambleton Hough.

The later submission also raises construction traffic and Public Rights of Way matters. These matters have been assessed through the Application documentation, including **PRoW Plans [APP-108; APP-109]**, **Construction Routing [APP-113]**, **Transport Assessment [REP2-077]**, **outline PRoW Management Plan (oPROWMP) [APP-199]** and **outline Construction Traffic Management Plan (oCTMP) [REP2-103]**. In addition, response **TRA-60** in **The Applicant's Response to Relevant Representations Part 2 [AS-036]** confirms that access would be maintained during works and that the Cable Route Corridor would be accessed from Field Lane rather than Hough Lane. **Consultation Report Appendix 11 [APP-036]** also responds to concerns regarding access on Hough Lane to Hambleton Hough.

Accordingly, while the specific matters now raised in **REP1-048** were not identified in the original Relevant Representation or correspondence located by the Applicant, the substantive issues relating to Hambleton Hough, landscape, ecology, construction traffic and Public Rights of Way have been assessed and addressed within the Application and Examination documentation.

Overall, the Applicant considers that the extensive evidence before the Examining Authority demonstrates a compliant and proportionate consultation process. The Planning Inspectorate considered consultation adequacy expressly at acceptance, including correspondence raising concerns about consultation, and concluded that the Applicant had complied with its statutory obligations. North Yorkshire Council and the other responding authorities likewise raised no objection to statutory compliance.

2.2 Addition of Sites 6-8, survey completeness and EIA change control

Interested Party's comments – RR-1051 Section 4

Applicant response references: ENG-09 (p.186), DES-34 (p.308), DES-46 (p.315), DES-47 to DES-48 (p.316), BIO-43 (p.143), ORN-21 (p.289).

What the Applicant says

The Applicant says scoping was optional, the addition of Sites 6-8 did not alter the methodology or scope because the development type was the same, and those sites were assessed at PEIR and ES stage. It says the ES was informed by comprehensive surveys, while acknowledging limited unsurveyed ponds and trees and less than 15% of the cable route without geophysical survey when chapters were finalised. Those later surveys have been progressed and are said to be unlikely to alter the ES conclusions. For birds, the Applicant says Sites 6-8 were surveyed in 2025 across breeding and non-breeding seasons and that the approach was accepted by Natural England. It relies on a Rochdale Envelope and post-consent detailed plans.

What remains unanswered or inadequate

- **"Same type of development" does not answer the receiving-environment issue.** New land can introduce different homes, water supplies, habitats, flight paths, roads, flood pathways and cumulative interactions even when the technology is unchanged.
- **There is no auditable change-control matrix.** The response does not identify, topic by topic, the description and assumptions used at scoping, the change introduced by Sites 6-8, new receptors and survey needs, matters previously scoped out, the assessment undertaken, consultee agreement, the ES location and any design response.
- **Later survey results are not supplied or tied to an update mechanism.** DES-46 says results are unlikely to change conclusions, but does not give the results, explain the review, identify changed mitigation or state what happens if the assumption proves wrong.
- **Survey limitations are not property- and site-specific.** The response does not set out actual dates, number of visits, weather, coverage, access constraints and recognised windows for Sites 6-8 across relevant topics. A conclusion of sufficiency cannot be checked from the response itself.
- **Natural England agreement is asserted but not evidenced in the response.** ORN-21 is a material answer to the two-season point, but the date, scope and wording of the agreement and the underlying survey schedule are not provided. It also does not explain cumulative functional-land considerations for the late-added sites.
- **The Rochdale Envelope answer is incomplete.** DES-47 does not list the assessment-critical parameters still open, the worst case used for each topic, the exact DCO control, the approving body or the objective acceptance test that prevents a worse outcome at detailed design.
- **Reliance on expertise is not a substitute for missing information.** DES-48 refers to competent experts and legal enforceability in general, but does not answer whether the ES contains sufficient current environmental information for each disputed receptor.

Requested examination action: Require a consolidated EIA change-control and

survey-completeness table for Sites 6-8 and all material post-scoping design changes. It should identify the new receptor or baseline, survey dates and limitations, any scoped-out matter re-tested, consultee agreement, effect on conclusions and mitigation, the ES reference, and the precise DCO control. Require publication of later survey results and a defined process for updating the assessment and mitigation if those results differ from the precautionary assumptions.

Applicant's reply

Scope

At the time of submission, there was complete survey information for Sites 6-8 in terms of all topics. The outstanding survey information at the time of submission related to geophysical surveys for the Cable Route Corridor, Great Crested Newts eDNA survey outside of the order limits and GLTA surveys of two trees located where CRC 1-4 crosses Hillam Road and where CRC 1-4 meets the southern boundary Solar Development Site 1.

Although new land was introduced by the addition of Sites 6-8, the scope of the assessment (in terms of stages of the development to be considered and assessment aspects to be considered), and approach to assessment, did not need to be amended as a result of the addition of that new land. As the Applicant completed a comprehensive PEIR stage, any deficits in the assessment scope and approach would have been picked up, by the relevant statutory authorities at that time. The PEIR and ES comprehensively consider all relevant receptors introduced by the addition of Sites 6-8 within the Proposed Development, including homes, water supplies, habitats, flight paths, roads, flood pathways and cumulative interactions associated with the expanded geographical scope. There is nothing about Sites 6-8 which would mean that the issues previously scoped out would need to be scoped in.

An auditable change control matrix is not required. It is for the applicant to ensure that the EIA continues to be adequately scoped as result of any changes, and any deficiencies in scope would be raised by the statutory consultees if deemed to be deficient.

Survey completeness

Notwithstanding the position discussed above, the approach within the EIA in the absence of survey data, was to make worst -case assumptions so that potential effects were not under-estimated. For example, the submission version **ES Volume 1, Chapter 8: Cultural Heritage [APP-046]** noted in its assumptions and limitations section that in the absence of survey work, assets are assumed to be present; and for ecology for receptors such as Great Crested Newts (GCN), **Chapter 6: Biodiversity – Section 6.5 [APP-044]** notes that a worst-case scenario precautionary approach which assumes presence has been found. All outstanding surveys have been undertaken subsequent to the acceptance of the application. Reporting on all outstanding surveys, including Great Crested Newts (GCN) **[REP2-074]**, bats **[REP2-072]** were submitted at Deadline 2. The **Archaeological Mitigation Strategy (AMS) [REP2-101]** was also updated at Deadline

2 to reflect the outcomes of the outstanding Geophysical and Trial Trenching Survey work.

Information on the surveys undertaken to inform the EIA is included within the relevant assessment chapters (ES Volume 1) and their associated appendices (ES Volume 3). Where applicable, information on dates, timings, weather conditions for surveys is available in the survey reports. The survey reports also note any limitations to the Surveys undertaken, where applicable. It is not proportionate to replicate all of that detailed information in this response when it is readily available in the relevant survey reports.

Agreement on scope of ecology surveys with Natural England is recorded where necessary in the Engagement tables within the relevant ES Chapters and will be further evidenced through the Statements of Common Ground at Deadline 3. It is noted, however, that Natural England's Written Representation **[REP1-025]** does not raise any concerns about surveys.

Functional land considerations have been considered in relation to all solar Development Sites considered within the Proposed Development both within the **Biodiversity [REP2-033]** and **Ornithology [REP2-037]** chapters and also within the **shadow Habitats regulation Assessment (sHRA) [REP2-023]**. In their submissions at Deadline 2, NE discuss that within some clarification (supplied in the documents within the Applicants Deadline 2 submission) "*due to the size and capacity of the mitigation provision, it is likely that this issue will be addressed*".

Rochdale envelope

The EIA presented within the ES has been undertaken adopting the principles set out in the Planning Inspectorate's Advice Note Nine: Rochdale Envelope which provides guidance regarding the degree of flexibility that may be considered appropriate within an application for development consent under the Planning Act 2008. **ES Volume 1, Chapter 2: The Proposed Development [REP2-027]** and the **Design Parameters and Commitments document [REP2-021]** sets out for each technical discipline, the maximum (and where relevant, minimum) parameters for the elements where flexibility needs to be retained and these have been assessed under the Rochdale Envelope approach. On this basis, the EIA assesses the reasonable worst-case design rather than an illustrative or preferred layout. The approach recognises that the worst-case parameter for one technical assessment may differ from another, ensuring that worst case overall impacts are predicted for each topic. The maximum lateral spatial extents are shown on the **Works Plans [AS-004]**. These parameters are not illustrative; they are set and secured via the DCO. The Applicant's approach is consistent with DCO practice for all project types and in line with the Planning Inspectorate advice.

The limits of deviation set out in the **Works Plans [AS-004]** control the spatial extent of works pursuant to an article in the **Draft DCO [REP2-004]**, and the DCO Requirement for approval of detailed design which also includes that detailed design needing to be in accordance with the **Design Parameters and Commitments document [REP2-021]**.

ES Volume 1, Chapter 2, paragraph 2.4.14 notes those aspects of the Proposed Development that require design flexibility which includes:

- 1) Solar PV Panels and panel type/specification;
- 2) Conversion Units and 33 kV Switch Rooms;
- 3) the BESS Compound and Substations;
- 4) Grid Connection Cables and Interconnecting Cables, i.e. the precise routing of the cables within the Cable Route Corridor;
- 5) Electrical design of the Proposed Development – maximum parameters for the Cable Route and Substations have been defined to allow for this flexibility; and
- 6) Access arrangements for Site 8

Sufficient environmental information

Regulation 14 of the EIA Regulations requires that the Applicant prepares and submits an Environmental Statement (ES) as part of the EIA process. It requires that the ES includes:

(a) a description of the proposed development comprising information on the site, design, size and other relevant features of the development; This is provided in **ES Volume 1, Chapter 2: The Proposed Development [REP2-027]**

(b) a description of the likely significant effects of the proposed development on the environment; this is provided in the ES, Chapters 5-18.

(c) a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment; This is provided in ES Chapters 5-18 and the **Commitments Register (ES Volume 3, Appendix 1.3 [REP2-069])**.

(d) a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment; This is provided in **ES Volume 1, Chapter 3: Alternatives and Design Iteration [REP2-029]**

(e) a non-technical summary of the information referred to in sub-paragraphs (a) to (d); This is provided as part of the Application submission **[REP2-087]**

It notes that the ES should include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment. The Applicant is confident that the ES submission provides this information, which has enabled a robust assessment to be carried out.

2.3 Residential amenity, landscape, privacy, human health, glint and tracker noise

Interested Party's comments – RR-1051 Section 5

Applicant response references: HUM-06 to HUM-08 (pp.214-215), LAN-35 to LAN-41 (pp.246-251), GLI-07 (p.209), NOI-11 (p.273).

What the Applicant says

The Applicant records approximate separation distances of 65 m to the south and 45 m to the east between the dwelling and the boundary of solar infrastructure, refers to a 30m minimum residential offset, says operational visits would be limited to about five per month, and concludes that no Residential Visual Amenity Assessment is required because the LVIA does not identify effects at the residential visual amenity threshold. It invokes the absence of a private right to a view, assesses a maximum panel height of 4.5 m, uses a winter scenario for construction and Year 1 and a summer Year 15 scenario for mature planting, and says planting should reach at least 4.5 m by Year 15. Health is treated at population level and was scoped out. GLI-07 says upper storeys are considered but generally at lower sensitivity. NOI-11 relies on a typical tracker motor at about 50 dB(A) at 1 m, intermittent daytime operation, and excludes tracker noise as negligible.

What remains unanswered or inadequate

- **The response conflates different issues.** The absence of a private right to retain a view does not answer whether development would be visually dominant, oppressive, intrusive or materially harmful to living conditions. Likewise, a low number of operational maintenance visits does not answer construction activity, first-floor outlook, perceived surveillance, privacy, lighting, glint or noise.
- **The no-RVAA conclusion is circular.** The response says no property-specific RVAA is needed because the generic LVIA did not identify a threshold breach, while the complaint is that the generic assessment and viewpoints do not represent the elevated dwelling, first-floor rooms and close relationship with Site 6.
- **No property-specific visual evidence is supplied.** There is no first-floor winter/leaf-off wireline or photomontage, topographic section, receptor height, field of view, tracking orientation, maximum tilt, precise infrastructure layout, or clear assessment of construction compounds, fencing, CCTV, access tracks and lighting.
- **Mitigation performance is not demonstrated.** A summer Year 15 assessment does not show winter effectiveness, the first 15 years of effect, failure/replacement scenarios, required opacity or height at each stage, maintenance standards, or what happens if planting cannot screen tracking panels and associated infrastructure.
- **Population-level health scoping does not answer the identified pathways.** The Applicant recognises that close residents may experience reduced quality of life and wellbeing, but offers engagement and generic management plans rather than an integrated assessment of the actual visual, noise, traffic, lighting, glint, construction and safety pathways affecting a sensitive household. The outcome of discussions with North Yorkshire Public Health is not provided.
- **The glint answer is not auditable for the property.** It does not provide the exact receptor

coordinates and heights, panels contributing to any reflection, predicted dates, times and duration, screening assumptions, or results for the south- and west-facing first-floor rooms. Assigning lower sensitivity to upper-storey rooms is not explained against the actual use of those rooms.

- **Tracker noise is screened out on an incomplete basis.** A single typical motor level at 1 m does not demonstrate the cumulative effect of multiple or synchronised motors, tonal or impulsive character, low rural background, facade and first-floor levels, meteorological conditions, fixed-versus-tracker optionality, or interaction with other operational plant. There is no verification commitment or receptor noise limit.

Requested examination action: Require a property-specific integrated residential amenity addendum, prepared to a defined receptor position and agreed assumptions. It should include first-floor and winter/leaf-off visualisations and sections; construction and operational activity; the maximum tracking configuration; glint results by room orientation and time; cumulative tracker and plant noise with character corrections and a verification limit; lighting/CCTV/privacy effects; and a combined pathway assessment explaining protection of sensitive residents. Any medical evidence should be handled confidentially if the Examining Authority considers it necessary.

Applicant's reply

Residential visual amenity

The Applicant has set out the technical approach to the Landscape and Visual Impact Assessment within **ES Volume 3, Appendix 10.1: Landscape and Visual Assessment Methodology [APP-167]**. The four step approach to addressing residential visual amenity is specifically addressed in paragraphs 1.2.15 to 1.2.20. This approach is consistent with published best practice and has been informed by paragraph 6.17 of the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), Landscape Institute (LI) Technical Guidance Note (TGN) 02/19: Residential Visual Amenity Assessment and Notes and Clarifications on aspects of GLVIA3, LITGN-2024-01. These industry standard documents make it clear a property-specific RVAA is only required where the largest magnitude of impact (very high) has been identified in the LVIA and where the Residential Visual Amenity Threshold is likely to be breached, causing serious harm to living conditions. The LVIA has concluded that residents of some properties in proximity to the Order Limits would experience adverse visual effects a consequence of the Proposed Development. However, the evidence laid out in the assessment does not indicate that the Proposed Development would be so visually dominant, oppressive, intrusive that these effects would cause serious harm to living conditions and therefore this would not be sufficient to breach the Residential Visual Amenity Threshold.

With respect to views from elevated dwellings/ first-floor rooms, LI TGN 02/19 is clear that where residential visual amenity assessment is carried out, it should have regard views from principal rooms and the domestic curtilage. Whilst a principal room can be on an upper floor, the term 'principal room' is defined as a living room, or one fulfilling the same primary use role, which is usually on the ground floor.

Winter (leaf-off) photomontages have been prepared for a selection of public viewpoints agreed with North Yorkshire Council to support the assessment and these are provided in **ES Volume 3, Appendix 10.4: Photography and Photomontages [REP2-076]**. This is consistent with the advice in paragraph 6.16 of GLVIA3 and paragraph 4.1.6 of Landscape Institute TGN 06/19 *Visual representation of development proposals*. All photomontages illustrate the proposed tracking panels at the maximum tilt. The design of the Proposed Development is preliminary and the Applicant is not seeking to secure the precise infrastructure layout. The LVIA has referred to documents in the DCO application including the outline Construction Environmental Management Plan and the Design Parameters and Commitments to inform judgements on the likely landscape and visual effects. This includes, for example proposed construction compounds, fencing, CCTV, access tracks and lighting.

The ExA has requested the Applicant to provide photomontages that represent a winter scenario in year 15 of operation to supplement the summer year 15 of operation photomontages presented in **ES Volume 3, Appendix 10.4: Photography and Photomontages [REP2-076]**, and these will be submitted at Deadline 3. The Applicant maintains that the proposed planting will be effective in reducing the likely significant effects as reported in ES Volume 1 Chapter 10 - Landscape and Visual [APP-048] through the application of the measures set out in the design secured in the DCO and the **outline Landscape and Ecological Management Plan [REP2-095]**. This document sets out the maintenance standards that will be applied to establish the proposed planting, including the replacement of plants which die or fail to thrive. The LVIA is based on a worst-case assumption of the tracking panels in their tallest position of 4.5m above ground level, but in reality, the panels would be substantially lower than this most of the day:

- Spring Equinox: Maximum tracker height , 31 minutes am, 31 minutes pm
- Summer Solstice: Maximum tracker height, 46 minutes am, 46 minutes pm
- Autumn Equinox: Maximum tracker height, 32 minutes am, 32 minutes pm
- Winter Solstice: Maximum tracker height, 17 minutes am, 17 minutes pm

Glint and glare

The **Glint and Glare Report [APP-186]** has assessed dwelling receptors in line with Pager Power's Glint and Glare Guidance. The report also includes full details of all receptors and reflector areas in Annex G, and full modelling outputs are included in **ES Volume 3, Appendix 16.4: Glint and Glare Assessment [APP-186]** which show the time and dates of glare along with the direction that glare would occur from.

It is standard practice within glint and glare assessments to assess the impacts towards a property as a whole, rather than considering rooms individually. It is also standard to consider the ground floor as more sensitive to effects within standalone dwellings, based on typical room usage. Views from first-storey rooms are considered where relevant, but the modelling receptor is set at a ground-floor height; small variations to this height do not significantly alter the modelling results in practice.

Noise and vibration

The assessment of operational noise sources is undertaken in accordance with the British Standard 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound and is presented in **Section 11.5 of ES Volume 1, Chapter 11: Noise and Vibration [APP-049]**. The chapter notes the following: *"the proposed Solar Development Sites may use either fixed arrays or tracking systems. Fixed panels do not contain moving parts and therefore have no associated noise emissions. Tracking systems operate with small motors and generate very low levels of noise. Manufacturer data for a typical tracker motor indicates a sound pressure level of approximately 50 dB(A) at 1 m. These motors usually operate intermittently for short duration and only during the daytime. Given their low output and limited operation, the noise contribution from tracking motors is considered negligible and has not been included in the noise model"*.

Furthermore, information in respect of tracker motors is set out in the **Deadline 2 Cover Letter [REP2-001]**. This includes noise modelling details, as presented in Annex E of the Cover Letter, and concludes that the operation of the Tracking Solar PV Tables would not give rise to significant operational noise effects upon sensitive receptors. This modelling was undertaken for residential receptors and PRowWs.

2.4 Private drinking-water borehole, groundwater and flood risk

Interested Party's comments – RR-1051 Section 6

Applicant response references: WAT-19 (p.431), WAT-01 to WAT-04 (pp.419-421), WAT-20 (p.433).

What the Applicant says

The Applicant acknowledges that the private water supply was mentioned at a June 2025 meeting and says it is willing to engage. It says the water chapter uses the Order Limits plus a 1 km study area, includes licensed and unlicensed abstractions, applies a 50 m stand-off, uses a source-pathway-receptor approach and will monitor receptors during works, including establishing baseline conditions. It says the borehole is likely to lie within the study area and that North Yorkshire Council supplied abstraction records. The generic flood response points to site-specific FRA annexes and a cumulative assessment.

What remains unanswered or inadequate

- **The borehole is still not demonstrated to be a defined receptor.** The response says the location is likely to be within the study area rather than giving a mapped coordinate, verified distance to works, receptor identifier and assessment entry.
- **No property-specific hydrogeological baseline is supplied.** There is no evidence on borehole depth and construction, aquifer, groundwater direction, yield, water-quality parameters, existing variability, sampling frequency or the survey/access steps taken after notification in June 2025.
- **A 50 m rule is asserted but not demonstrated.** The response does not show the borehole-to-work distances, whether all temporary works, drainage, piling, trenches, access tracks, fuel stores and BESS/firewater pathways comply, or why 50 m is protective in the actual hydrogeological setting.
- **Monitoring during works may be too late for a defensible baseline.** The response does not identify when baseline sampling starts, how many rounds are needed, trigger levels, notification and stop-work procedures, causation investigation, remediation, or provision of an alternative potable supply.
- **The addition of Site 6 is not connected to a receptor audit.** Saying Site 6 was known at PEIR and ES stage does not show that the borehole, after it was notified, was entered into the baseline, model and mitigation schedule.
- **The flood response remains generic.** It does not address the interaction with South Milford's local flood-defence measures, parcel-specific compaction and runoff, local flood history, or the precise developments and construction periods used in the cumulative scenario.

Requested examination action: Require the borehole to be mapped and scheduled as a named sensitive receptor before conclusions are relied upon. Require a pre-construction hydrogeological and potable-water baseline, a source-pathway assessment covering construction, operation, decommissioning and BESS firewater, proof of all stand-offs, and enforceable monitoring, trigger, stop-work, remediation, notification and

alternative-supply provisions. Require a South Milford-focused flood and drainage note showing local defences, runoff pathways and cumulative construction assumptions.

Applicant's reply

Borehole as defined receptor

The location of the borehole is presented in **Environmental Statement Volume 2, Figure 15.8: Abstractions and Discharges Sheet Number 7 of 9 [APP-122]**, identified as an unlicensed groundwater supply. The mapped coordinates for this data point (451864 431311) were provided by the local authority on 21st May 2024 in response to a data request for unlicensed water supply information for the Proposed Development.

In addition, the borehole is identified in **Environmental Statement Volume 1, Chapter 15: Water Resources and Flood Risk [REP2-043]** under 15.7.49 as a groundwater abstraction within 50m of the Order Limits '4) an unlicensed supply at Common Lane (opposite Milford Lodge Farm) adjacent to Solar Development Site 6.'

The receptor is also listed with the same reference in **ES Volume 3, Appendix 15.3: Water Resources and Flood Risk Preliminary Assessment Table [REP2-083]**, Table 1, page 18 as 'Unlicensed private abstraction – Common Lane (opposite Millford Lodge Farm)', along with the associated receptor importance of Medium. Both Chapter 15 and Appendix 15.3 have been updated at Procedural Deadline 2 (1st September 2026) to amend the receptor importance for unlicensed private abstractions to High as requested by the Environment Agency.

Property-specific hydrogeological baseline

Not all private abstraction locations could be visited because access could not be obtained. These locations are identified on **ES Volume 2, Figure 15.13: Surveyed Sites [APP-127]** as 'Private – Unable to Access – Groundwater Abstraction' and were retained within the assessment and assessed conservatively. Even if these sites had been visited, they would not have been given a receptor importance higher than those utilised in the assessment or change the proposed mitigation measures set out in the relevant Management Plans.

Information on borehole depth, construction and aquifer are presented on the BGS borehole record for the site available at [BGS ID: 118281 : BGS Reference: SE53SW11](#). This confirms that the borehole is 26.2m depth, with 127mm diameter casing to 14.3m, below which is open hole into the Roxby Formation and Brotherton Formation, the latter forming a limestone aquifer. At time of construction (1948) the water level was noted to be artesian, with water flow at ground level. Further discussion of the hydrogeological setting and implications for aquifer protection are provided in the following section on 50 m stand off.

Please see below information on monitoring prior to construction.

50m Stand Off

A 50 m stand off from all groundwater and surface water abstractions, both licensed and private water supplies, will be applied to the site layouts (including the BESS). This is secured within the **Design Parameters and Commitments document [REP2-021]**, compliance with which is secured via the DCO Requirements. This requirement is also included in the **oCEMP [REP2-089]** (Table 3-13) for the temporary construction works.

This control being played out in practice is exemplified by review of **Environmental Statement Volume 2, Figure 2.1: Illustrative Site Layout Plans [APP-059]** which shows the site layout plans which include solar panel areas, internal tracks, construction compounds, conversion units and BESS.

Examination of that Figure confirms that the distance between the borehole coordinates provided by the local authority and the design elements listed in the previous paragraph are >50m. Should the owner of the borehole have different location information the applicant would welcome this information.

It is also noted, in respect of the BESS, that the outline CEMP sets out that: *'The requirement for, and extent of, any enhanced pollution control measures for BESS and substation areas will be determined at detailed design stage and secured through the detailed CEMP, taking into account the higher pollution risk associated with the intended end use of these areas. This will include consideration of measures consistent with those identified within the Outline Drainage Strategy, such as the management and containment of fuels, oils and chemicals, and, where relevant, firewater runoff.'*

In addition to the horizontal distance between the works and the borehole in question, information presented on the BGS borehole record (BGS ID: 118281 : BGS Reference: SE53SW11) indicates the presence of 14.3m of superficial deposits, predominantly comprising glacial clay with a 0.76m thick sand layer. Below the superficial deposits is 9.8m of marl/ mudstone of the Roxby Formation. Collectively, these low-permeability superficial and bedrock units provide approximately 24.1 m of vertical separation between the works and the underlying limestone aquifer from which the borehole abstracts, thereby affording a substantial degree of hydrogeological protection.

Monitoring prior to construction

Mitigation framework includes monitoring of receptors, where required, to establish baseline conditions prior to construction and continuing throughout the construction period. Monitoring commitments are secured through the management plans that form part of the DCO submission: **oCEMP [REP2-089]** and **outline Pollution and Spillage Response Plan (oPSRP) [REP2-099]**. Further monitoring requirements (including frequency) will be detailed within the detailed CEMP(s), detailed PSRP, frac-out contingency plan, Hydrogeological Impact Assessment, Foundation Works Risk Assessment and detailed Surface Water Management Plan. A monitoring plan will be developed (in consultation with the EA) which will outline the frequency of water quality monitoring prior to and during construction.

Surface water and groundwater monitoring plans for abstractions and other receptors immediately adjacent to Construction Compounds, trenchless solutions such as HDD or sites where excavations and/or construction dewatering occurring, to include requirement to cease works if impacts are detected. The monitoring plans will be developed in consultation with the EA.

The oPSRP has been updated for Deadline 2 to give more information on baseline monitoring as follows:

Pre-construction monitoring will be undertaken to establish baseline conditions at identified monitoring locations. Monitoring shall include sampling of representative upstream, downstream and groundwater receptor locations, where relevant. As a minimum, baseline monitoring shall be undertaken on a monthly basis for a period of six months prior to commencement of construction works, aligned to the construction programme at the relevant site, unless otherwise agreed with the EA. Where receptors are particularly sensitive, or where significant seasonal variations in water quality are anticipated, the monitoring period may be extended to up to 12 months to ensure representative baseline conditions are established. Monitoring parameters shall be agreed based on the identified pollution risks and sensitivity of the receiving environment.

The frequency and duration of any required in-situ monitoring and water quality sampling will be set out in the PSRP and agreed with the Environmental Clerk of Works (ECoW), taking into account the construction methods and risks posed to receptors. Monitoring will generally be undertaken on a monthly basis; however, the frequency will be proportionate to the level of risk, with increased monitoring applied during higher-risk activities (e.g. earthworks, concrete works and drainage installation), to ensure the monitoring programme is capable of identifying trends and enabling appropriate corrective action where necessary.

Addition of Site 6 and Receptor Audit

The identification of the borehole and incorporation into the assessment at ES is outlined under the 'Borehole as defined receptor' section of this response.

At PEIR stage, the borehole was also identified in the published documents: Chapter 15 under paragraph 15.7.49 and Table 15.17 as 'Unlicensed private groundwater abstraction - Common Lane (opposite Millford Lodge Farm)'; Figure 15.8 Abstractions and Discharges Sheet 6 of 7; and Appendix 15.3 assessed in the group Unlicensed abstractions (medium). Note that the publication date of these documents was June 2025, at which time the borehole abstraction had been identified from a local authority data request for unlicensed water supply information (provided on 21st May 2024).

Flood Response

The Applicant has considered the matters raised in relation to flood risk in the vicinity of South Milford and the nearby Solar Development Sites 6 and 7. **Appendix 15.1: Flood**

Risk Assessment (FRA) [REP2-079] presents a detailed assessment which draws on the Environment Agency (EA) flood mapping datasets and the results of site-specific flood modelling where relevant and considers the individual Solar Development Sites and the Cable Corridor within the Annexes.

Figure 15.10 [REP2-055] shows that Solar Development Site 6 and 7 and the land closest to South Milford are predominantly within Flood Zone 1. This is confirmed in Annex E of the **FRA [REP2-079]**, which identifies Solar Development Site 6 as predominantly within Flood Zone 1, with Flood Zones 2 and 3 limited principally to land immediately adjacent to Milford Common Drain and Lumby Common Drain. A minimum 10 m offset from IDB watercourses is incorporated into the design to avoid development within these higher-risk areas. The FRA also records that the modelled fluvial floodplain does not extend into Solar Development Site 6 for either the design event or the credible maximum scenario.

Available records have also been considered. During consultation, the Lead Local Flood Authority (LLFA) advised that it held no records of flooding in the vicinity of the Proposed Development, while expressly noting that the absence of a recorded incident does not demonstrate that flooding has never occurred. The assessment therefore does not rely on the absence of flood records; it uses the current EA flood datasets, local watercourse and drainage information, and the site-specific flood-risk assessment.

The **FRA [REP2-079]** also includes an assessment of interactions between flood defences and the Cable Route Corridor in Annex H, with reference to **Figure 15.14: Spatial Flood Defences [APP-128]** which also shows the EA AIMS flood defence assets in relation to the Order Limits.

The mapped flood defence assets within South Milford itself are outside the Order Limits and there is therefore no direct physical interaction between the Proposed Development near Solar Development Site 6 and those defences. This does not mean that potential effects on flood risk to surrounding receptors have been disregarded; these are assessed separately through the fluvial and surface-water assessments within the **FRA [REP2-079]** and the management of surface water is also considered within the **Outline Drainage Strategy (ODS) [REP2-085]**.

The direct interactions with mapped flood defence assets identified in the FRA occur elsewhere, principally to the north-east of Solar Development Site 6, where Cable Corridor 1 crosses the Selby Dam flood defences and the River Ouse flood defences including the associated set-back embankment. Those crossings are specifically assessed in Annex H of the **FRA [REP2-079]** and are proposed to be undertaken using trenchless techniques to minimise impacts. With the implementation of standard best-practice measures during construction, including monitoring and adherence to relevant environmental standards and obtaining the necessary environmental permits, the proposed works can be completed without compromising the integrity or functionality of existing flood defence assets.

The Applicant has had ongoing consultation with the EA throughout including

discussions specifically on the impact of the Proposed Development on flood defences and any mitigation for protecting these flood defences. To date the EA is satisfied with our approach (subject to reviewing the documents submitted at Deadline 2). This will be recorded in a Statement of Common Ground ahead of Deadline 3. The potential effect of construction activity and soil compaction on runoff is addressed through the **Outline Drainage Strategy (ODS) [REP2-085]**, the **Soil Resource Management Plan (oSRMP) [REP2-105]** and the suite of lifecycle management plans for the Proposed Development, including the **outline Construction Environmental Management Plan (oCEMP) [REP2-089]**. In the operational scenario, grass or wildflower cover will be maintained beneath solar arrays, with measures to minimise and remediate ground compaction, manage potential rutting, and use of permeable access tracks so that the existing greenfield runoff response is maintained as far as practicable. During construction, measures to reduce compaction may include the use of low-ground-pressure vehicles and management of vehicle movements, with construction drainage subject to detailed design and agreement with the LLFA as outlined within these documents.

The cumulative assessment is set out in Section 15.14 and Table 15-21 of **ES Volume 1, Chapter 15 [REP2-043]**, drawing on the wider cumulative-development shortlist in **Chapter 17 [REP2-047]** and **ES Volume 3, Appendix 17.1 [APP-189]**. It identifies the individual developments considered, their planning/application references, their proximity to the Proposed Development and the potential pathways for cumulative effects. For example, the solar farm subject to EIA Screening Opinion ZG2023/0481/SCN, approximately 250 m north of the Solar Development Site 6 Construction Compound, was considered on the basis that dewatering could occur concurrently with Light Valley Solar. Other developments around Monk Fryston and the cable corridor are similarly identified and assessed. The overall Light Valley Solar construction period is anticipated to be approximately 24-36 months, with shorter periods of construction at individual Solar Development Sites. On the basis of the identified developments, potential temporal overlap and the mitigation secured for the respective schemes, **Chapter 15 [REP2-043]** concludes that significant cumulative effects on water resources and flood risk are not anticipated.

2.5 BESS fire, plume, firewater and emergency response

Interested Party's comments – RR-1051 Section 7

Applicant response references: BAT-01 (p.95), with related water, traffic and design-control responses.

What the Applicant says

The Applicant says BESS is safe and that residents would be protected through an outline Battery Safety Management Plan developed with North Yorkshire Fire and Rescue Service. It refers to generic fire-emissions work and states that system- and site-specific plume analysis for sensitive receptors within 1 km, selected-system large-scale fire testing, final spacing, consequence modelling, water requirements and the operational emergency response will be developed at detailed design and agreed with the fire service.

What remains unanswered or inadequate

- **The key conclusion is stated before the key evidence exists.** The response confirms that the selected chemistry/system, large-scale test evidence, final layout and spacing, site-specific plume modelling and water requirement are not yet fixed.
- **No property-specific consequence is given.** There is no result for the nearby dwelling and borehole under credible worst-case weather, fire duration, multiple-unit escalation, toxic products, smoke deposition or shelter/evacuation assumptions.
- **Firewater is not integrated with groundwater protection.** The response discusses boundary cooling but does not demonstrate containment capacity, drainage isolation, contaminated-water storage, overflow scenario, sampling, disposal or the pathway to the private water supply and surface-water receptors.
- **Emergency access is not closed out.** There is no response-time assessment, independently confirmed route and passing provision, simultaneous access/egress plan, incident command area, resident warning protocol, or objective evidence that Common Lane constraints are acceptable for the final BESS design.
- **The DCO acceptance criteria are not identified.** Saying that details will be agreed with NYFRS does not state the maximum inventory, chemistry, enclosure size, separation, plume thresholds, water/containment capacity, design fire, no-escalation criterion, approving consultees or grounds for refusing a non-compliant design.

Requested examination action: Require a consent-stage worst-case BESS design envelope and a receptor-specific assessment of plume, deposition, firewater, groundwater, emergency access and public warning. The DCO should contain objective limits and a no-worse-than test, with final approval by the relevant authority after consultation with NYFRS, the Environment Agency and environmental health. The requirement should prevent construction unless the selected system and layout demonstrate compliance with those limits.

Applicant's reply

Existence of key evidence:

The Applicant disagrees with the suggestion that the conclusion regarding BESS fire emissions has been reached before supporting evidence exists.

As recommended in National Fire Chiefs Council (NFCC) guidelines (2026) the Applicant submitted a site-specific Plume Analysis study presented in **Environmental Statement Volume 3, Appendix 16.5: BESS Fire Emissions Modelling Technical Note [APP-187]** to assess the air quality impact of a BESS thermal runaway incident on sensitive receptors within a 1 km radius of the potential BESS area. Concentrations of carbon monoxide (CO), formaldehyde, hydrogen chloride (HCl), hydrogen cyanide (HCN), hydrogen fluoride (HF), ammonia (NH₃), nitrogen dioxide (NO₂) and particulates, were modelled using Atmospheric Dispersion Modelling Software (ADMS) to determine the effects of BESS fire emissions on human health. In line with NFCC recommendations, a high-level visibility assessment has also been undertaken using the modelled particulates results to determine the effect of BESS fire emissions on visibility on the local road network. The Plume Study scope and methodology has been agreed and validated by the UKHSA for the Applicant's DCO projects.

The assessment is not a generic appraisal. It is a site-specific dispersion modelling exercise undertaken using five years of meteorological data and reports the maximum concentrations predicted under the worst meteorological conditions for dispersion. The modelling considered five worst-case fire locations around the perimeter of the BESS area and assumed that the fire coincides with the meteorological conditions producing the highest receptor concentrations.

While the final BESS manufacturer, enclosure arrangement and equipment spacing will be confirmed at detailed design stage, the assessment demonstrates that predicted concentrations of all modelled pollutants remain below the relevant health-based assessment criteria. It should be noted that the assessment is deliberately conservative and therefore likely to overestimate, rather than underestimate, potential impacts. The modelling uses conservative assumptions, including:

- Worst case BESS fire locations within the BESS area, positioned at the boundary of the BESS, closest to sensitive receptors;
- Worst case release height, temperature and plume parameters;
- Peak emission rates assumed to persist for extended durations (up to 8 hours);
- The use of five years of hourly meteorological data, with the maximum predicted concentration extracted at each receptor, assuming the fire coincides with the poorest dispersion conditions; and
- Assumption that Nitrogen Oxide (NO) converts fully to Nitrogen Dioxide (NO₂).

The conclusions of the assessment therefore do not depend upon the future production of plume modelling evidence, as plume modelling has already been undertaken and submitted as part of the application. Detailed design stage submissions will refine and validate the final installation using system-specific test data, but they do not replace the assessment evidence already provided at the DCO stage.

The Applicant's **outline Battery Safety Management Plan (oBSMP) [REP2-097]** has been submitted to fully accommodate the latest BESS safety requirements contained in NFPA 855 (2026) ensuring that any credible risks associated with battery storage are either prevented or fully mitigated if a BESS failure occurs. The oBSMP has been prepared for the Proposed Development using guidance from North Yorkshire Fire and Rescue Service (NYFRS) and incorporating recommendations of the National Fire Chiefs Council (NFCC). The oBSMP very clearly documents the fire and explosion protection requirements for the illustrative BESS design and the BESS system that is selected at the detailed design stage.

Section 1.3.1 of the oBSMP clarifies that:

"For the purposes of this oBSMP a concept design has been considered that uses a BESS system based upon Lithium Iron Phosphate (LFP) battery technology that is currently used on other solar projects being developed by the Applicant. This is considered a reasonable worst-case for the purposes of the assessment in terms of safety (toxic and explosive gas production risks)".

Because the illustrative current BESS design utilised for oBSMP drafting and fire emission modelling demonstrated that a fire did not propagate during Large Scale Fire Testing (LSFT) the Applicant has demonstrated that the loss of a single BESS enclosure is a credible worst-case event for the safety and risk assessment documentation submitted for the DCO. Illustrative site design allows a separation distance of 2.5 m between BESS blocks and 3.5 m to ESS equipment, and 2.5 m between adjacent and back-to-back BESS enclosures. The Applicant notes that separation distances in the LSFT were significantly closer with 150mm spacing to adjacent or back-to-back BESS with 1.5m between BESS blocks, this means that the illustrative site design provides even greater assurance that BESS to BESS fire propagation will not occur.

The Applicant emphasises that generalisations and claims regarding the safety of specific battery chemistries should be disregarded. Predictions of gas properties and volumes from a battery chemistry or form factor are unwise. Testing on actual BESS cells and battery systems is the only way to accurately define gas production which will inform the fire and explosion risk for a specific battery system. The Plume Assessment study integrates fire and gas emission data recorded during LSFT of two current BESS designs integrating LFP battery systems.

As now mandated under NFPA 855 (2026), the Applicant will only be able to select a BESS system that has undertaken Large Scale Fire Testing (LSFT). At the detailed design stage, the selected BESS LSFT data will be leveraged to fully inform inputs for

risk assessment tools which will be utilised together with detailed consequence modelling to provide a comprehensive site operations and emergency response safety audit, this is stipulated in the **outline Battery Safety Management Plan (oBSMP) [REP2-097]** pre-construction requirements (Section 5).

Sections 5.1.3, 5.1.4 and 5.1.5 of the oBSMP mandate the key risk analysis reports (FMEA, LOPA, HMA, HAZID, HAZOP) which consider how to prevent and mitigate a multi-BESS failure incident. These reports must be provided at the detailed design stage and are BESS system and site layout specific. These types of risk analysis provide confidence to demonstrate that under day-to-day operation there is a low risk of a BESS failure incident, and in the event of an incident the credible hazards are understood and have been evaluated both at the illustrative and detailed design stages to demonstrate that the risk to site operatives, first responders, and the local population remains very low.

LSFT involves deliberately burning a complete BESS enclosure to evaluate thermal exposure, heat release rates, burn duration, maximum temperatures and, critically, the potential for fire propagation to adjacent BESS or associated equipment. The purpose of this testing is expressly to validate minimum equipment spacing and to demonstrate that cascading or multiBESS enclosure ignition does not occur where tested layouts and mitigation measures are implemented. These tests therefore explicitly address the type of multiBESS fire propagation risks, including scenarios observed in real world incidents, by requiring evidence that propagation risk is controlled through design rather than reliance on emergency intervention.

Section 3.1.22 of the oBSMP stipulates that: *"LSFT of the selected BESS design to establish minimum equipment spacing distances and site-specific consequence modelling will provide a clear, evidence-based case for the final BESS Compound installation plans at the detailed design phase and will be agreed with NYFRS. An independent Fire Protection Engineer specialising in BESS will validate all UL 9540A, LSFT, and / or third-party test data and site-specific consequence modelling data which has been provided."*

The peak fire load for most current BESS designs when at 100% State of Charge (SOC) lasts for 1-3 hours and the rest of the fire involving the battery systems, another 4-8 hours, would be at a lower intensity which reduces the impact of the fire. The maximum Peak Heat Release Rate (PHRR) occurs when propagation rate of battery cells is at peak level and decays to a smaller steady fire that is burning through fewer battery cells / modules and BESS system combustible materials and emitting significantly lower levels of flame and heat flux.

Firefighter interventions in credible BESS failure scenarios would be limited to boundary cooling during a short-term peak fire load period. Because of the high levels of BESS internal thermal insulation which can maintain elevated temperatures for a significant timeframe, smouldering of other combustibles can continue long after the batteries have burnt out. This process does not pose any fire propagation risk or result in fire emissions that will have any off-site receptor impact.

Section 4.3.1 of the oBSMP stipulates that the BESS area will contain 456,000 litres of water, which is more than 2.5 times the volume recommended by NFCC guidance. Current NFCC guidance (2026) recommends a discharge flow rate of 1500 litres per minute which would provide 5 hours of water supply. Firefighting water will be stored in water tanks and will not be impacted by local drought conditions, which lead to water shortages.

Section 4.3.1 - 6) of the oBSMP also stipulates: *"A BESS design which may require direct NYFRS firefighting engagement tactics will not be selected for this facility"*.

Section 4.3.1 – 1) of the oBSMP confirms that: *"The firefighting water requirement will be fully assessed at the detailed design stage based upon analysis of LSFT of the BESS design plus any additional fire and explosion test data provided by an independent Fire Protection Engineer, water storage volumes will be fully agreed with NYFRS."*

Final comprehensive risk assessment reports, BESS design and site-specific consequence modelling, and detailed Emergency Response Plans (ERPs) can only be drafted when based upon the specific BESS design selected at the detailed design stage. Key safety content requires that all equipment within the BESS area is defined, battery system operating limits and test data are fully defined, and the BESS failure protection system is defined. Incident response tactics require significant test data and rigorous consequence modelling from the specific BESS design to develop safe protocols for incident response i.e. incident communication requirements and responsibilities, operational controls, etc.

The implementation of the oBSMP is secured through a Requirement in Schedule 2 of the **Draft DCO [REP2-004]**. This will stipulate that a Detailed BSMP will be submitted to and approved in consultation with NYFRS, the Environment Agency (EA), by North Yorkshire Council prior to the commencement of the works for the BESS. The Detailed BSMP will be substantially in accordance with this **oBSMP [REP2-097]**.

Property specific consequences:

As recommended in National Fire Chiefs Council (NFCC) guidelines (2026) the Applicant submitted a Plume Analysis study presented in **Environmental Statement Volume 3, Appendix 16.5: BESS Fire Emissions Modelling Technical Note [APP-187]** to assess the potential air quality effects of a BESS thermal runaway incident on identified sensitive receptors within a 1 km radius of the BESS area. The Plume Study scope and methodology has been agreed and validated by the UKHSA for the Applicant's DCO projects.

The assessment predicts that the highest concentrations at residential receptors occur either at receptor R2, the nearest residential property located approximately 331 m from the BESS area, or at receptor R16, a residential receptor located approximately 401 m from the BESS area. For all modelled pollutants and all assessment periods, predicted concentrations remained below the relevant health-based assessment criteria. The

assessment concludes that all modelled concentrations are below Acute Exposure Guidance Levels (AEGL) level 1 thresholds, representing levels below which notable discomfort, irritation or other transient adverse health effects are not expected in the general population. The assessment is deliberately conservative and is more likely to overestimate than underestimate potential impacts.

The modelling demonstrates that pollutant concentrations reduce rapidly with distance from the source and that there would be no significant air quality effects at identified residential receptors, Public Rights of Way or the local road network as a result of a BESS fire incident.

The outline mitigation identifies the types of actions that could be implemented, such as notification of residents and advising people to remain indoors. However, the specific extent of any such measures, such as distances or trigger criteria, is not fixed at this stage. This is because the Emergency Response Plan (ERP) will be developed at the detailed design stage and will be informed by the final BESS layout and the thermal runaway test data provided by the system supplier. That information will enable a more precise definition of the area potentially affected under different scenarios, including consideration of plume behaviour and wind conditions. The Emergency Response Plan will therefore set out how potentially affected receptors would be identified and what actions would be implemented in practice.

A single BESS enclosure fire represents the credible worst-case scenario based on design standards and large-scale fire testing, which demonstrate that fire propagation between enclosures is not expected under fully tested and compliant designs. Because the illustrative current BESS design utilised for oBSMP drafting and fire emission modelling demonstrated that a fire did not propagate during Large Scale Fire Testing (LSFT) then the Applicant has demonstrated that the loss of a single BESS enclosure is a credible worst-case event for the safety and risk assessment documentation submitted for the DCO.

Worst-case real-world incidents have involved legacy BESS systems which had not undertaken LSFT, many systems were not NFPA 855 or UL 9540 compliant. The Applicant regularly evaluates BESS system defect and root cause analysis reports to inform all critical aspects of BESS safety required for procurement, construction, installation, commissioning, and decommissioning phases of projects. Factory Acceptance Testing (FAT) and Site Acceptance Testing (SAT) are key components in ensuring credible BESS failure scenarios are prevented and fully mitigated should they occur.

Multiple BESS enclosures catching fire simultaneously has not occurred in real world BESS failure incidents to date and should be considered a highly improbable worst case scenario. Reports such as the *Intertek CEA: Global Energy Storage Manufacturing Quality Report 2026* highlight critical BESS system safety issues and demonstrates how corrective actions should be taken before a failure incident can occur.

The Plume study of the selected BESS system commissioned at the detailed design

stage will be conducted at approved third-party or government approved test laboratories. These facilities utilise large scale smoke hoods (cone calorimeters) capable to capture every type of battery gas & particle emitted during the thermal runaway process at module, battery rack or complete BESS enclosure level.

This equipment can measure total volume gas production (gas chromatography) and FTIR (Fourier Transform Infrared Spectroscopy) testing (PPM) for organic compounds (toxic gases) such as: Carbon Monoxide (CO), Carbon Dioxide (CO₂), Hydrogen (H₂), Sulphur Dioxide (SO₂), Nitrogen Oxides (NO_x), Hydrogen Fluoride (HF), Hydrogen Cyanide (HCN), Hydrogen Chloride (HCl), Hydrocarbon gases (THC content), Polycyclic Aromatic Hydrocarbons (PAHs), etc.

The equipment also integrates comprehensive particle capture by XRF (X-ray fluorescence) analysis checks for: Phosphorus, Aluminium, Nickel, Silicon, Calcium, etc. This means that heavy metal particulate emissions can be quantified and included in emission modelling if the selected battery system emits significant levels during fire testing.

Section 4.5.15 of the **oBSMP [REP2-097]** stipulates: *“at the detailed design stage, a BESS system and site-specific Plume Analysis study will be conducted to assess the environmental impact of a site incident to sensitive receptors within a 1 km radius. Toxic gas emissions to sensitive receptors will be below relevant public health exposure limit guidelines when the battery system of a BESS is fully consumed (burnt out), production of Particulate Matter (PM) and a visibility impact assessment on any transport links within a 1 km radius of the BESS Compound will also be included. The ERP produced at the detailed design stage (template outlined in paragraph 4.4.4) will incorporate all necessary emergency response procedures and actions based upon thermal runaway test data supplied by the BESS system provider.”*

The implementation of the oBSMP is secured through a Requirement in Schedule 2 of the **Draft DCO [REP2-004]**. This will stipulate that a Detailed BSMP will be submitted to and approved in consultation with NYFRS, the Environment Agency (EA), by North Yorkshire Council prior to the commencement of the works for the BESS. The Detailed BSMP will be substantially in accordance with this **oBSMP [REP2-097]**.

- **Firewater is not integrated with groundwater protection.**

Please refer to the Applicant's responses to R-048-60, R-048-61, and R-048-62 in section 3 of this response document.

- **Emergency access**

The Applicant has submitted an **outline Battery Safety Management Plan (oBSMP) [REP2-097]** which has been prepared for the Proposed Development using guidance from North Yorkshire Fire and Rescue Service (NYFRS) and incorporating recommendations of the National Fire Chiefs Council.

The safety objectives for the design of the BESS site are listed in Section 1.3.10 - 1.3.13 of the oBSMP. The Applicant has ensured site design is fully compliant with National Fire Chiefs Council (NFCC) guidance and has worked closely with NYFRS over site specific operational and access requirements for NYFRS.

As documented in Section 2.1.6 of the oBSMP, the Applicant emailed NYFRS with an illustrative BESS site plan integrating features discussed in the Teams Meeting and shared presentations covering NFPA 855 revisions and Large Scale Fire Testing (LSFT). This included a NYFRS command and control area, NYFRS access roads, water tank and fire hydrant locations, etc.

Section 4 of the oBSMP covers all requisite firefighting considerations including, fire breaks, firefighting water containment, firefighting water supply requirements, all aspects of Emergency Planning including ERP and RM plan content templates, and summaries of Plume Study consequence modelling to validate BESS site location.

The BESS Compound will have a robust and validated Emergency Response Plan (ERP), developed in consultation with NYFRS. The ERP (template outlined in Section 4.4.4 of the oBSMP) will be developed post planning consent to facilitate effective and safe emergency response. It will follow UK National Fire Chiefs Council (NFCC) and NFPA 855 guidelines.

Access will be designed such that emergency services are able to access the site easily with site roads being clearly laid out and signed in accordance. Three separate NYFRS access points to the BESS Compound have been integrated. A swept path analysis for emergency vehicles has been undertaken, and the roads have been confirmed as suitable for emergency vehicle access.

The final BESS site design can only be constructed and operated in compliance with the final version of the **oBSMP [REP2-097]**, which has been developed in consultation with NYFRS, who have been consulted during pre-application discussions and as part of statutory consultation, and engagement will continue across the project lifecycle to ensure that all key site safety and emergency response requirements are fulfilled by the Applicant.

The implementation of the oBSMP is secured through a Requirement in Schedule 2 of the **Draft DCO [REP2-004]**. This will stipulate that a Detailed BSMP will be submitted to and approved in consultation with NYFRS, the Environment Agency (EA), by North Yorkshire Council prior to the commencement of the works for the BESS. The Detailed BSMP will be substantially in accordance with this **oBSMP [REP2-097]**.

- **The DCO acceptance criteria are not identified.**

Section 2.3 Work No. 2 Design Parameters and Commitments of the Applicant's **Design Parameters and Commitments document [REP2-021]** documents the maximum equipment size parameters for the BESS compound under the Rochdale Envelope approach. The approach has been applied by the technical authors as part of the EIA,

ensuring that the worst-case scenario has been assessed for the Proposed Development.

Section 1.3.13 of the **oBSMP [REP2-097]** stipulates: *“Final BESS design and site layout must be validated through mandatory Large Scale Fire Testing (LSFT) and rigorous consequence modelling to minimise the requirement for any NYFRS intervention in a thermal runaway incident. LSFT will establish minimum equipment spacing distances that demonstrate there is no fire propagation to adjacent BESS enclosures or Energy Storage System (ESS) equipment. Consequence modelling will quantify operational buffer zones for NYFRS to ensure Overhead Power lines will not impede incident response protocols; spacing will be agreed with NYFRS prior to construction of the BESS. NYFRS intervention in worst-case scenarios would typically be limited to boundary cooling of adjacent BESS and ESS units to prevent the fire from spreading. This strategy will be finalised in consultation with NYFRS prior to operation and be clearly communicated in the ERP, including measures:*

- 1) To ensure that fire, smoke, and any release of toxic gases do not significantly impact site operatives, first responders, and the local community; and*
- 2) To ensure that firewater run-off is contained and tested before release or, if necessary, removed by tanker and treated offsite”.*

At the detailed design stage, the selected BESS LSFT data will be leveraged to fully inform inputs for risk assessment tools which will be utilised together with detailed consequence modelling to provide a comprehensive site operations and emergency response safety audit, this is stipulated in the oBSMP pre-construction requirements (Section 5).

Fire hazards i.e. burning thermal runaway events in BESS systems, are driven by identical factors. Variations in burn out times are significantly influenced by failure scenarios, State of Charge (SOC) and battery rack configurations and materials. Cell and module propagation times during thermal runaway is driven by heat generated through internal current flow, parallel circuits, damaged circuitry and wiring, additional battery module and BESS enclosure combustibles, and internal / external module heating from vented gases and flames.

The Applicant emphasises that generalisations and claims regarding the safety of specific battery chemistries should be disregarded. Predictions of gas properties and volumes from a battery chemistry or form factor is unwise. Testing on actual BESS cells and battery systems is the only way to accurately define gas production which will inform the fire and explosion risk for a specific battery system.

LSFT together with UL 9540A testing defines specific battery vent gas mixtures, maximum burn velocity, maximum explosion pressure (Pmax), and duration of flaming. Fire / combustion data recorded during testing is Peak Heat Release Rate (PHRR), Heat Release Rate (HRR), Total Heat Release (THR), Peak Heat Flux levels and sustained Heat Flux levels at a range of distances and heights from the BESS fire, cell

propagation rates, temperatures within modules, and deflagration event data i.e. debris or shrapnel (if observed).

LSFT involves deliberately burning a complete BESS enclosure to evaluate thermal exposure, heat release rates, burn duration, maximum temperatures and, critically, the potential for fire propagation to adjacent BESS or associated equipment. The purpose of this testing is expressly to validate minimum equipment spacing and to demonstrate that cascading or multi BESS enclosure ignition does not occur where tested layouts and mitigation measures are implemented. These tests therefore explicitly address the type of multi BESS fire propagation risks, including scenarios observed in real world incidents, by requiring evidence that propagation risk is controlled through design rather than reliance on emergency intervention.

Section 3.1.22 of the **oBSMP [REP2-097]** stipulates that: *“LSFT of the selected BESS design to establish minimum equipment spacing distances and site-specific consequence modelling will provide a clear, evidence-based case for the final BESS Compound installation plans at the detailed design phase and will be agreed with NYFRS. An independent Fire Protection Engineer specialising in BESS will validate all UL 9540A, LSFT, and / or third-party test data and site-specific consequence modelling data which has been provided.”*

Explosion risk is the biggest threat to life and safety of first responders and BESS Compound layout and firefighting tactics will be designed to mitigate any risk. Many LSFT test programs do not performance test BESS active protection systems, therefore the Applicant has stipulated in Section 3.1.31 of the oBSMP that: *“any BESS explosion prevention or control/protection system will be validated through full scale BESS destruction testing, lean gas mixture testing and requisite pressure testing required by NFPA and EN standards. An independent Fire Protection Engineer specialising in BESS will review all UL 9540A test results and any additional fire and explosion test and modelling data which has been provided.”*

NFPA 855 (2026) defines basic operation Health and Safety (H&S) protocols for all BESS site designs which should be incorporated into emergency response plans:

- 1) Potential debris impact radius is defined as 100 feet (ft) or 30.5 metres (m) i.e. this is a typical explosion risk safe exclusion zone radius as modelling and previous BESS incidents typically show 25 m to be maximum radius; and
- 2) Automatic building evacuation area is defined as 200 ft or 61 m from the affected BESS enclosure.

The Applicant has selected the BESS compound location to ensure that there are no significant BESS failure impacts at any sensitive receptor locations.

Section 4.3.1 of the **oBSMP [REP2-097]** confirms that: *“The firefighting water requirement will be fully assessed at the detailed design stage based upon analysis of LSFT of the BESS design plus any additional fire and explosion test data provided by an*

independent Fire Protection Engineer, water storage volumes will be fully agreed with NYFRS."

Section 4.5.15 of the oBSMP stipulates: *"at the detailed design stage, a BESS system and site-specific Plume Analysis study will be conducted to assess the environmental impact of a site incident to sensitive receptors within a 1 km radius. Toxic gas emissions to sensitive receptors will be below relevant public health exposure limit guidelines when the battery system of a BESS is fully consumed (burnt out), production of Particulate Matter (PM) and a visibility impact assessment on any transport links within a 1 km radius of the BESS Compound will also be included. The ERP produced at the detailed design stage (template outlined in paragraph 4.4.4) will incorporate all necessary emergency response procedures and actions based upon thermal runaway test data supplied by the BESS system provider."*

Section 5.1.7 of the oBSMP also confirms: *"If the BESS system supplied differs from the specification considered for risk assessments and consequence modelling, then a full safety audit will be repeated for the new BESS system specification. These studies will be completed and signed off before construction commences."*

The implementation of the oBSMP is secured through a Requirement in Schedule 2 of the **Draft DCO [REP2-004]**. This will stipulate that a Detailed BSMP will be submitted to and approved in consultation with NYFRS, the Environment Agency (EA), by North Yorkshire Council prior to the commencement of the works for the BESS. The Detailed BSMP will be substantially in accordance with this **oBSMP [REP2-097]**.

The approach taken by the Applicant to this issue is consistent with the approach that has been accepted by the Secretary of State on solar with BESS DCOs.

2.6 Ecology, badgers and biodiversity net gain delivery

Interested Party's comments – RR-1051 Section 8

Applicant response references: BIO-04, BIO-06 and BIO-07 (pp.116-118), BIO-43 (p.143), BIO-45 (p.144), ORN-21 (p.289).

What the Applicant says

The Applicant says ecological surveys were undertaken to consistent methods, all recorded badger setts will be retained, a further pre-commencement badger survey will cover the Order Limits and 30 m where access is possible, and garden access would assist. It says any new setts will be protected under legislation and that garden setts are likely to be sufficiently buffered. It reports quantified BNG gains and relies on the detailed LEMP and DCO requirements for long-term delivery.

What remains unanswered or inadequate

- **The response confirms a gap in the current badger baseline.** The resident's direct evidence and adjoining garden were not fully surveyed where access was unavailable. A future survey is proposed, but no record is given of when access was requested or why the evidence was not resolved before submission.
- **"Likely buffered" is unsupported.** No sett location, status, activity area, foraging route, quantified buffer, disturbance assessment or design contingency is supplied. It is unclear whether the final layout can move if a significant sett or route is confirmed.
- **The pre-commencement survey control is not sufficiently described.** The response does not state timing, competency, reporting, consultation, confidential handling, licence pathway, stop-work provisions or how a finding can alter works rather than simply be mitigated after design is fixed.
- **BNG figures are not a delivery mechanism.** The response does not clearly identify monitoring frequency, habitat-condition milestones, failure thresholds, remedial triggers, responsible body, funding/security, public reporting and treatment at decommissioning for the gains relied upon.
- **Cumulative functional habitat remains unclear.** The bird response does not connect survey results for Sites 6-8 with displacement, flight lines, other solar/industrial schemes and the aviation concern about increased bird activity.

Requested examination action: Require a confidential badger baseline and response schedule covering the resident evidence, access history, survey timing, sett/route buffers, design flexibility, licences and stop-work provisions. Require a BNG and habitat delivery table giving each target, baseline, location, timing, condition milestone, monitoring interval, failure threshold, remedy, responsible body, funding and DCO hook. Require the bird evidence for Sites 6-8 to be related expressly to cumulative functional habitat and aviation pathways.

Applicant's reply

Badger baseline

The badger survey information is confidential and is only available on request to those who have a legitimate need to view this information, this would include statutory consultees such as Natural England. It is for the statutory bodies to check our approach, survey scope and data, and mitigation, is adequate and they have raised no concerns with the approach that the Applicant has taken.

The badger Report notes that *'It is also important to note that badger are not of ecological importance and are instead protected by legislation primarily to prevent persecution, and therefore if any setts within 30 m were missed, this would not lead to a significant impact'*.

Due to the mobile nature of the species, a pre commencement badger survey of the Order Limits and 30 m around the Order Limits (where access is possible) will be conducted before works start, as detailed in the ES and **outline Construction Environmental Management Plan (oCEMP) [REP2-089]**. Providing access during the updated survey will assist the Applicant in gaining as much up to date data as possible to accurately map the up to date spread of the species. Should any additional setts be located during the updated survey, these will be adequately protected/mitigated following relevant legislation.

Pre-commencement survey control

There is a requirement in the oCEMP that a pre-condition site walkover will be undertaken in advance of mobilisation/any potential advance works (at least three months prior to start of works) to reconfirm the ecological baseline conditions and to identify any new ecological risks, such as newly constructed badger sets and / or new otter resting places / holts. Updated species surveys, including bats, otter, water vole, brown hare and badger, would be completed as appropriate to reconfirm the status of protected species identified, to inform mitigation requirements and support protected species licence applications, if required, and the requirement for any ECoW supervision during the construction phase. Although unlikely, any materially different outcomes from pre-construction surveys will be suitably mitigated following best practice guidance once the updated survey results have been received. Such surveys would be undertaken sufficiently in advance of construction works to account for seasonality constraints and to allow time for the implementation of any necessary mitigation, prior to construction. Additional surveys may be required during construction as advised by the Applicant's ECoW, based on the findings of the updated walkover and protected species surveys, or otherwise as identified as appropriate by the Applicant or their appointed Contractor(s).

Habitat monitoring and remedial measures

As noted in the Biodiversity Net Gain (BNG) Report **[APP-220]** to deliver the BNG as set out in the report, habitats within the Solar Development Sites will be managed and

maintained for the operational lifetime of the Proposed Development (over the 30 years required), pursuant to the **oLEMP [REP2-095]**. The management will be adapted based on monitoring results to ensure the best desired outcomes are achieved.

The **oLEMP [REP2-095]** sets out planning, management and monitoring prescriptions to be followed by, or on behalf of, the Applicant. This includes details of operational ecological monitoring and reporting, governance over the operational lifetime, and processes for addressing unforeseen ecological effects or conflicts with BNG objectives. The detailed version of the LEMP, to be in substantial accordance with the outline, will set out further details for essential monitoring of the Proposed Solar Development Sites habitat, and is to be approved by North Yorkshire Council pursuant to a Requirement 6 in the Draft DCO.

A combined assessment of habitat condition, management outcomes and species monitoring will be used to determine whether the relevant habitat/species objectives are being achieved and whether adaptive management is required. Where required appropriate remedial measures will be implemented as detailed in the **oLEMP [REP2-095]**. Based on a standardised approach, replacement planting may be required for any significant failures, identified through monitoring to ensure the BNG condition criteria for each habitat type is met.

Monitoring Reports and Decommissioning

Monitoring reports will be made available on request to the relevant authoritative bodies such as NYC where requested. The outline Decommissioning Environmental Management plan sets out the requirements that must be complied with to ensure no significant environmental effects and includes the re-surveying on the ecological baseline to identify any new ecological constraints and ensure no significant effects result from decommissioning.

Section 2.1 of the **outline Decommissioning Environmental Management Plan (oDEMP) [REP2-093]** sets out the activities that would be carried out during decommissioning. This does provide for the removal of hedgerows and woodland, to be consistent with what is agreed with the landowners. Following decommissioning, the Applicant would no longer have control of the land and the Proposed Development would no longer be present to be causing an impact. It will be for the landowners to determine what happens to mitigation, in the context of the legislative and policy requirements which exist at the time.

Cumulative functional habitat

Functionally linked land considerations have been considered in relation to all solar Development Sites considered within the Proposed Development both within the **Biodiversity [REP2-033]** and **Ornithology [REP2-037]** chapters of the ES and also within the **shadow Habitats Regulation Assessment (sHRA) [REP2-023]**. These assessments have incorporated the information from surveys for Sites 6-8 to make an assessment in relation to all of the issues identified.

2.7 Common Lane, construction traffic, public rights of way and cumulative development

Interested Party's comments – RR-1051 Section 9

Applicant response references: TRA-26 (p.376), TRA-64 to TRA-70 (pp.397-400), SOC-07 (p.329), SOC-23 (p.345), SOC-35 (p.352).

What the Applicant says

The Applicant says construction traffic would increase Common Lane flows by about 10% on average and up to 29% in a worst-case peak; it characterises the absolute increase as limited and temporary. It relies on Highways Improvement Areas, passing places, routing and timing controls, a final CTMP agreed with North Yorkshire Council, a fear-and-intimidation assessment, surveyed baseline flows and consideration of committed development. It says affected rights of way will normally remain open or be diverted and refers to a 15 m infrastructure buffer and new permissive paths.

What remains unanswered or inadequate

- **Percentages do not disclose the actual exposure.** The response does not give, in the RR response, the absolute daily and hourly cars, HGVs and abnormal loads on Common Lane; the construction months and peaks; employee traffic; vehicle dimensions; or the combined traffic from overlapping schemes. A low baseline can make a modest absolute increase look large as a percentage, and vice versa. It also does not take into account that the majority of current traffic goes to the Maltings Recycling plant and Network Rail compound, but no further than that – so the actual increase in HGV traffic along Common Lane past this point is 100%.
- **Emergency-access measures are expressed as intentions.** No final passing-place locations and dimensions, forward visibility, swept paths, land-control position, implementation date, maintenance, obstruction protocol or written emergency-service confirmation is supplied.
- **The existing-route condition is not answered by a category label.** Saying the fear-and-intimidation category remains "small" does not address single-track width, dead-end operation, pedestrian/cycle encounters, verge condition, drainage, refuge availability or previous emergency incidents.
- **Plan inconsistency is denied rather than reconciled.** TRA-66 says the Works, Access to Works, Street Plans and Transport Assessment should be read together, but supplies no plan/revision/route comparison, hierarchy or correction table for the specific conflicts alleged.
- **The baseline cannot be checked from the response.** TRA-67 does not provide traffic-count dates, duration, raw data, season, school/holiday conditions, exceptional events or validation against the resident's observations.
- **Outdated PROW mapping is not corrected.** TRA-68 describes data sources and ground-truthing but does not identify the disputed route, confirm the correct alignment, issue a corrected plan or assess whether the change affects closures, diversions or traffic interaction.
- **Cumulative development is asserted, not exposed.** TRA-69 and TRA-70 do not list the committed developments, traffic assumptions, pedestrian/cycle forecasts, construction

programmes, overlap scenarios or sensitivity tests used for Gascoigne Wood and other schemes.

- **The footpath-to-Common-Lane issue is not answered directly.** Generic diversion and permissive-path statements do not show the route, duration, width, accessibility, road-crossing or safety audit for any diversion that places additional users on Common Lane.
- **The Hambleton Hough compound question remains outstanding.** The response does not identify what traffic and PROW information was shown during consultation or answer the allegation that an irrelevant map was supplied.

Requested examination action: Require a Common Lane evidence pack with absolute and hourly vehicle/HGV flows; count data and dates; construction phasing; a committed-development and overlap table; route and plan reconciliation; final-or-minimum swept-path and passing-place drawings; emergency-service confirmation; and a pedestrian/cycle/PROW diversion plan and road-safety audit. The final CTMP requirement should contain minimum controls and objective limits, not merely leave all material details to later agreement.

Applicant's reply

The Applicant does not agree that the information submitted is insufficient to assess the likely traffic and movement effects associated with construction activity on Common Lane.

The assessment is presented within **ES Volume 1, Chapter 14: Traffic and Movement [REP2-041]** and **ES Volume 3, Appendix 14.1: Transport Assessment (TA) [REP2-077]**. It considers the forecast change in total traffic and HGV movements, the sensitivity of affected road users, the temporary nature of the construction activity and the measures through which construction traffic would be managed. These are all industry-standard approaches to assessing the transport impacts of developments.

Section 2.2 of the TA outlines that there were two tranches of traffic data collection, the first surveys were undertaken between 28 January and 3 February 2025 and the second from 1st July to 7 July 2025. The traffic network diagrams showing the baseline count information are attached in Annex A of the TA and include Common Lane.

The Applicant understands the Interested Party's reference to Common Lane to relate principally to Common Lane in South Milford, which forms part of the assessed construction route to Solar Development Sites 6 and 7. The baseline traffic survey presented recorded 283 daily vehicle movements on this section of Common Lane, including 17 HGV movements. Following the application of background traffic growth, the 2029 baseline used in the assessment comprises 292 daily vehicle movements, including 17 HGV movements. The peak construction scenario comprises 376 daily vehicle movements, including 32 HGV movements. This represents a peak increase of 29% in total traffic and 83% in HGV movements compared with the 2029 baseline.

ES Volume 2, Figure 14.5: Traffic Survey Locations [APP-114] shows that the Link 18 traffic counter was positioned towards the western end of Common Lane, immediately east of the railway bridge. The counter was positioned to establish representative baseline flows on the assessed highway link. It was not intended to identify the origin or destination of individual vehicles or to determine whether each

vehicle continued beyond, or accessed, a particular property or compound. The Applicant therefore acknowledges that the survey does not establish the precise number of existing HGVs travelling past the Network Rail compound. However, the observed link-level baseline provides an appropriate basis for assessing the change in traffic experienced on the affected section of the public highway.

The Applicant has assessed the effect of construction traffic on pedestrians, cyclists and equestrians using the established fear and intimidation methodology presented within the **ES Volume 1, Chapter 14: Traffic and Movement [REP2-041]**. This is an industry standard approach and provides a recognised framework for considering the interaction between traffic and non-motorised users, taking account of factors including traffic flows, HGV content and road environment. The Applicant therefore considers that the methodology provides an appropriate and proportionate basis for assessing the likely effects of construction traffic on users of Common Lane and other minor roads within the study area. Any detailed traffic-management measures required during construction would be developed through the detailed Construction Traffic Management Plan in consultation with North Yorkshire Council.

The precise locations of passing places and other localised highway measures will be identified at the detailed design stage and agreed with North Yorkshire Council through the detailed Construction Traffic Management Plan. The Order Limits provide flexibility to facilitate passing opportunities on constrained sections of the route where required, such as in the Highways Improvement Areas noted on **ES Volume 2, Figure 1.2: Elements of the Proposed Development [APP-058]**. As set out within the application documents, the locations of passing places will be identified through the detailed construction planning process and agreed with North Yorkshire Council when the detailed CTMP is approved.

The Applicant also confirms that access for emergency vehicles will be maintained during construction. Any temporary traffic management measures will be developed in consultation with, and agreed by, the Local Highway Authority. As part of this process, due regard will be given to ensuring that access for emergency services is not adversely affected.

The Applicant is not aware of any specific conflict between the Works, Access to Works and Street Plans that would materially affect the conclusions of the Transport Assessment or the description of the Proposed Development. Following the discussions at ISH1, the access drawings in Annex B of **ES Volume 3, Appendix 14.1: Transport Assessment [REP2-077]** have been updated at Deadline 2 and the key plan on each drawing checked for consistency with the Access to Works and Street Plans. The detailed routing, traffic management and access arrangements will ultimately be confirmed through the detailed Construction Traffic Management Plan, which will be agreed with North Yorkshire Council prior to the commencement of the relevant construction activities. The Applicant therefore does not consider that a separate hierarchy, correction schedule or plan reconciliation table is necessary.

The Applicant does not agree that the cumulative assessment is insufficient. The cumulative traffic assessment is presented in Section 6.2 of **ES Volume 3, Appendix 14.1: Transport Assessment [REP2-077]**. Other developments were considered

through the cumulative assessment process, with those reasonably capable of affecting traffic conditions within the study area included in the assessment. The traffic associated with the included developments was added to the 2029 future baseline to create the 2029 cumulative scenario assessed within the Transport Assessment.

Traffic movements associated with each committed development were derived from the information presented in the respective Transport Assessments, where available. The assessment therefore provides a transparent account of the developments included, their forecast daily movements and the highway links to which those movements have been assigned.

As per Comment Reference SOC-23 within the **Applicant's Response to Relevant Representations (Part 2) [AS-036]**, the impact of the Proposed Development on Public Rights of Way has been assessed within **ES Volume 1, Chapter 13: Socioeconomics [updated alongside this submission]. ES Volume 3, Appendix 13.1: Socioeconomic Receptors Impact Assessment [APP-177]** and the **outline Public Rights of Way Management Plan (oPROWMP) [APP-199]** outline the assessed impacts of the Proposed Development of these Public Rights of Way. The oPROWMP details that wherever practicable, Public Rights of Way will remain open, and if temporary closure is required, alternative routes will be installed to ensure there is no loss of recreation. Further information can be found in Section 3 of the oPROWMP.

The **PRoW** baseline, including those around Common Lane, is drawn from North Yorkshire Council's Definitive Map and engagement at the time of assessment and finalisation of the application documents. The footpaths associated with Common Lane in the ES are 35.59/5/1 (Common Lane to industrial site) and 35.59/6/1 (Turpin Lane), plus proposed permissive paths connecting Turpin Lane/Common Lane. These are shown as retained (temporary construction management only), not stopped up. As detailed in the **ES Volume 3, Appendix 13.1: Socioeconomic Receptors Impact Assessment [APP-177]** and the **outline Public Rights of Way Management Plan (oPROWMP) [APP-199]**, the impact on these Public Rights of Way are not considered to be significant.

The Applicant does not consider that the matters raised demonstrate a requirement for the separate Common Lane evidence pack requested by the Interested Party. The submitted assessment provides an appropriate basis for determining the likely effects, while the secured detailed approval process allows the final construction arrangements to respond to the appointed contractor's methodology and the conditions prevailing when the works are undertaken.

The Hambleton Hough compound question is addressed at response 2.1 above and therefore not duplicated in this section.

2.8 Aviation and the Site 6 emergency landing strip

Interested Party's comments – RR-1051 Section 10

Applicant response references: AVI-02 (p.92), GLI-03 (p.208), together with GLI-07 and relevant ecology responses.

What the Applicant says

The Applicant says the grass emergency strip is aligned under the runway 19 climb-out path at Sherburn-in-Elmet, would not change flight paths, has no buildings under its final approach, and that an AAIB-record search since 2005 found no forced landings in the stated area. It says custom flight-path receptors were used for glint and glare, relies on an empirical study, and has engaged with Sherburn-in-Elmet Airfield.

What remains unanswered or inadequate

- **The safety case is not independently evidenced in the response.** No CAA, aerodrome safeguarding or independent aviation-safety assessment is identified for the strip's dimensions, obstacle environment, adjacent arrays, fencing, glare, emergency access and proximity to homes.
- **The AAIB search is not reproducible.** The response does not give the search terms, geographic boundary, incident categories, source extract or treatment of events not resulting in an AAIB report.
- **Glint, ecology and emergency landing are treated separately.** There is no integrated assessment of reflections on approach/climb-out, turbulence, bird activity, forced-landing options, panel height/tracking and the consequences of an aircraft departing the strip or overshooting toward nearby receptors.
- **Leeds Bradford Airport is not answered.** I could not locate a Part 2 response to the specific RR-1051 point asking whether Leeds Bradford Airport was consulted. Nor does the response provide a full aviation consultee schedule and replies.

Requested examination action: Require the Applicant to provide the aviation consultee schedule and responses, including a direct answer on Leeds Bradford Airport; the Sherburn and CAA/aerodrome-safeguarding position; the AAIB search methodology and output; and an integrated strip, glint, tracking, bird and emergency-risk assessment. Any safety-critical dimensional or operational assumptions should be secured in the DCO.

Applicant's reply

The Engine Failure After Take-Off (EFATO) forced landing field was identified as a potential mitigation for an aircraft suffering an EFATO on climb-out from runway 19. Its width is 50m, which is more than twice the width of all runways at Sherburn-in-Elmet aerodrome. Its length would be the same as the length of the existing field in that location. Sherburn Aero Club has now advised that use of this field in an emergency is impractical due to having to “*aggressively descend*”. This would mean that this field is not currently usable for emergency landings and any aircraft suffering an engine failure on departure from runway 19 would require to use the fields further to the south, which are not part of the Proposed Development and would continue to be available for emergency use after the construction of the Scheme.

The AAIB search terms used were:

- Search term: "Sherburn"
- Category: "All"
- Report type: "Bulletin - Correspondence investigation"; "Bulletin - Field investigation"; "Formal report"
- Date of occurrence: unspecified

Glint, ecology and emergency landing are separate issues requiring specific treatment. It is not clear to the Applicant how these separate assessments could be "integrated".

Leeds Bradford Airport is more than 29km from the nearest LVS panels. There is no requirement or advice in CAP 738 or CAST guidance documents that advises consultation with airports at that range from a solar project.

2.9 Alternatives, agricultural land, local policy and the planning balance

Interested Party's comments – RR-1051 Section 11

Applicant response references: AGR-01 to AGR-02 (pp.45-50), ALT-24 to ALT-27 (pp.78-81), DES-49 to DES-55 (pp.317-320).

What the Applicant says

The Applicant provides a substantive generic account of agricultural land grades, temporary use, soil-management measures, the 25 km site-selection search, the need for large-scale ground-mounted solar, consideration of brownfield, rooftops, former power stations, airfields and motorway locations, and the land area typically needed for a 500 MW scheme. It says the multi-site layout reflects landform, environmental sensitivities and grid requirements and that the Rochdale Envelope secures maximum parameters. For local policy, DES-49 cross-refers to the Planning Statement and Policy Compliance Document, while DES-50 to DES-55 give selected responses on countryside policy, the NPS framework and emerging policy.

What remains unanswered or inadequate

- **Some original points are answered, but the comparison is not transparent.** The response does not provide a common matrix showing the alternatives assessed, land availability evidence, output, connection feasibility, environmental harm, BMV take, landscape effects, cost/deliverability and reason for rejection.
- **Specific alternatives are not addressed.** Car-park canopies and the mixed wind-and-solar proposition are not individually evaluated. If they are unreasonable or incapable of meeting project objectives, the Applicant should explain why, rather than only cite the generic alternatives chapter.
- **A more compact or differently distributed layout is not demonstrated.** ALT-25 gives typical hectare-per-MW figures and asserts other parcels were unsuitable, but does not expose the comparative scoring, weighting and trade-offs or show the least-harm iterations considered after Sites 6-8 were added.
- **Fixed-versus-tracking optionality is not compared across topics.** The response does not provide a single worst-case matrix showing which technology drives land take, height, visual effects, glint, noise, ecology, drainage and yield, or how a detailed design can be shown to remain within every assessed envelope.
- **The 60-year effect is understated by the word temporary.** The response identifies reversibility but does not supply objective soil-health baselines and end-state criteria supporting the predicted beneficial effect, or explain the consequences if monitoring does not show improvement.
- **DES-49 is not a policy-by-policy response.** It does not identify each adopted policy raised, the relevant site-specific effect, degree of conflict, mitigation, weight and planning-balance conclusion. The NPS framework does not make local policies irrelevant.
- **The local planning balance is not performed in Part 2.** DES-53 restates national need and critical national priority but does not set out the residual adverse effects specific to Sites 6-8 and the affected community, distinguish mitigated from unmitigated harm, or explain the weight given to each matter.

Requested examination action: Require a concise alternatives and design-iteration comparison table, including car-park canopies, mixed technology, compact/distributed layouts and fixed/tracking options, with common criteria and reasons. Require a policy compliance schedule for every adopted local policy cited in RR-1051 and an explicit planning-balance table identifying the residual local adverse effects, the evidence and controls relied on, and the weight the Applicant asks the Secretary of State to give them.

Applicant's reply

Alternatives

Paragraphs 4.3.15 and 4.3.22 of the overarching National Policy Statement for Energy, EN-1 (December 2025), set out that Applicants are obliged to include information about the reasonable alternatives they have studied in their ES. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility.

Importantly, the information presented for consideration should be proportionate and only alternatives that meet the objectives of the proposed development need to be considered.

As set out in the updated **ES Volume 1, Chapter 3: Alternatives and Design Iteration [REP2-029]** the Applicant has considered alternatives, including previously developed land and other forms of solar deployment, as part of the site selection and design evolution process. The ES chapter sets out the approach to finding alternative sites, including tables setting out alternatives considered (Tables 3-1 and 3-2), design parameters (Table 3-3). **ES Volume 3, Appendix 3.1 Site Selection Assessment Report (SSAR) [AS-019]** sets out full details of the methodology applied and the site selection assessment results. The Report is supported by Annex A Site Selection Assessment figures, Annex B, Assessment Indicators and Evaluation Criteria, and Annex D, potential development area assessment results.

Those documents, alongside the Statement of Need, specifically answer all the points raised including the need for large-scale ground-mounted solar, consideration of brownfield, rooftops (with the logic for this equally applicable to the top of car parks), former power stations, airfields and motorway locations, and the land area typically needed for a 500 MW scheme.

Solar panel optionality

ES Volume 1, Chapter 2: The Proposed Development [REP2-027] explains that the environmental impact assessment (EIA) has been undertaken adopting the principles set out in the Planning Inspectorate's Advice Note Nine: Rochdale envelope which provides guidance regarding the degree of flexibility that may be considered appropriate within an application for development consent under the Planning Act 2008. The advice note acknowledges there may be aspects of the Proposed Development design that are not yet fixed and, therefore, it may be necessary for the EIA to assess likely worst-case variations to ensure all foreseeable significant environmental effects of the Proposed Development are considered.

The solar PV panels and panel type/specification require design flexibility reflecting the rapid pace of change in technology. Where optionality in the EIA is necessary to assess the worst-case scenario, this is explained in Chapter 2.

This is a standardised approach to environmental assessments of projects at the planning stage, recognising that it is not practical or appropriate to resolve a detailed design too early in any development proposal's life-cycle.

Crucially, the Proposed Development must be built within the maximum parameters that have been secured in the DCO. Where there is optionality, the relevant assessments have considered the worst case that is appropriate to that topic – this is a standard EIA approach.

As explained in the Statement of Need, and as recognised in NPS EN-3, overplanting is permitted. The Proposed Development has been designed to meet its grid connection requirements (and through this, its Project Objectives), with overplanting. As explained at ISH1, the Proposed Development is well within the size ranges provided for by the NPS, and is also not larger than other consented NSIP solar schemes.

Soil health, operational life and decommissioning

The ALC survey (**ES Volume 3, Appendix 5.1: Agricultural Land Classification [APP-150]**) has been undertaken by experienced soil surveyors in accordance with the long-established guidelines for classifying agricultural land. The scope and findings of the ALC survey have been discussed with Natural England, and the findings presented in updated **ES Volume 1, Chapter 5: Agricultural Land and Soils [REP2-031]**. The soil survey results are an accurate reflection of agricultural land quality.

The switch from arable to pasture / grassland will allow the land to recover from current intensive uses, and the soil condition, structure, and biodiversity to improve.

ES Chapter 5 [REP2-031] at section 5.8 sets out the embedded and good practice mitigation and enhancement measures for soils across the Proposed Development. This includes an embedded commitment to minimise damage to soils that remain in place and those that are stripped, stockpiled and reinstated; minimise soil carbon losses; maintain water infiltration; and enhance soil biodiversity.

The Applicant is seeking a time-limited consent, starting from the date of the final commissioning phase and extending for up to 60 years. The **outline Soil Resources Management Plan (oSRMP) [REP2-105]**, sets out how soil protection measures that will be detailed in the full Soil Resources Management Plan, to be secured by means of Draft DCO Requirement 17 for soil management **[REP2-004]**. The requirements includes a provision that no part of the authorised development may commence until a soil resources management plan for that part has been submitted to and approved by North Yorkshire Council.

Although the oSRMP is focused on the construction and operation phases, it will be relevant to works during the decommissioning phase, subject to the relevant good practice measures in place at that time.

Soil handling measures are set out in section 6.4 of the **oSRMP [REP2-105]**, including monitoring and recording measures. The detailed SRMP will include more details for

monitoring and maintenance during the construction and operation phases, including roles and responsibilities.

Planning Policies

The question has been raised why the response reference DES-49 (see **Applicant's Response to Relevant Representations Part 2 [AS-036]**), does not identify each adopted policy raised, the relevant site-specific effect, the degree of conflict, mitigation measures and weighting in the planning-balance conclusion? It is noted by the Respondent that "*the NPS framework does not make local policies irrelevant*".

For reasons of proportionality and accessibility, the Applicant has sought to report the policy analysis in a targeted way, balancing detail and complexity with relevance and readability. The approach to consideration of national and local planning policies in carrying out the planning analysis of the Proposed Development is set out in section 6 in the submitted **Planning Statement [REP2-015]** and relevant local policies are considered in the **Policy Compliance Document [REP2-025]**.

Planning balance and residual effects

In the context of planning policy and the planning balance, the question has been asked why adverse effects were not discussed, specifically in relation to: Solar Development Sites (SDS) 6-8, and the affected community?

The purpose of the Planning Statement is to set out the case for the Proposed Development in the context of relevant legislation and policy. The responsible team worked with the outputs of the Environmental Assessment, which considered multiple factors including but not limited to communities, to inform the local and national policy assessment, including the assessments relating to SDS 6, 7 and 8.

The suggestion has been made that a planning-balance table be produced to identify the residual local adverse effects, the evidence and controls relied on, and the weight the Applicant asks the Secretary of State to give them.

Details regarding adverse effects, and controls relied upon are dealt with across the application submission including in the EIA and in the accompanying outline management plans. The measures relied upon to deliver a suitably mitigated and managed development are secured through the Requirements in Schedule 2 of the **Draft DCO [REP2-004]**.

These matters inform analysis in the **Planning Statement [REP2-015]**. In the context of the planning balance, the Planning Statement from page 119 to page 122 reports on potential adverse impacts of the Proposed Development and sets out the rationale for the level of weight, in the Applicant's view, should be afforded to those potential adverse impacts in considering the Proposed Development in the round, with a similar exercise also taken in relation to benefits. Whilst a tabular presentation is an alternative way to present this information, such formats can constrain the ability to effectively present, sometimes complex, nuances when presenting a planning balance.

2.10 Community benefit, local jobs and claimed public value

Interested Party's comments – RR-1051 Section 12

Applicant response references: Original RR-1051 section 8; relevant generic discussion appears elsewhere in Part 2, but RR-1051 is not listed against the principal community-benefit response.

What the Applicant says

The Applicant refers elsewhere to national electricity-system benefits, business rates, permissive paths, planting, BNG and a proposed community benefit fund. It also states that the community fund is separate from the planning merits. The main Part 2 response on this theme is not expressly tagged as a response to RR-1051.

What remains unanswered or inadequate

- **The RR point is not answered directly.** There is no clear figure for permanent local jobs, the assumptions and duration behind employment claims, or the local procurement/training commitments relied upon.
- **The fund remains undefined.** The amount, formula, commencement, duration, governance, eligible area, decision-making, indexation, transparency and enforceability are not set out in the response.
- **Local electricity benefit should not be overstated.** I do not suggest a legal entitlement to ring-fenced local electricity. The relevant point is that electricity exported to the national network and a non-material community fund should not be described as a direct mitigation of concentrated local environmental harm.

Requested examination action: Require the Applicant to distinguish material planning benefits from voluntary community benefits; provide the evidence behind construction and operational job claims; and state the proposed community-fund parameters. The planning balance should not attribute mitigation weight to an undefined or non-material fund.

Applicant's reply

Local jobs

The **outline Skills, Supply Chain and Employment Plan (oSSCEP) [APP-202]** sets out how the Applicant will commit to promoting competition, innovation and skills within the local and regional areas of the Proposed Development and across the wider local authority area of North Yorkshire Council. The oSSCEP describes the potential workers, skills, equipment and services required to deliver the entirety of the Proposed Development and the measures required to engage with relevant stakeholders.

Regarding operational jobs, section 3.3 explains that the workforce is expected to be "*limited to maintenance crews, landscaping teams and occasional repair units*". The predicted periodic replacement of all components of the Proposed Development will, in addition, generate an estimated 188 full-time equivalent (FTE) employees per annum. The estimated on-site replacement workforce is expected to peak at approximately 541 workers.

For the purposes of the Planning Balance, employment creation is not considered significant. As a result, limited weight in favour of employment is afforded in the **Planning Statement [REP2-015]**.

Training commitments are described in section 5 of the oSSCEP. The plan notes the Applicant will seek opportunities to work with existing further and higher education providers in and around the Study Area to offer and promote apprenticeships and other academic support during the construction and operational phases.

Workforce training is also included, where the Applicant will consider partnerships to support training of employees and workers to achieve vocational qualifications. STEM education and career advice will also be made available.

Section 5.4 of the oSSCEP sets out the outline approach to supply chain and measures to maximise benefits to local businesses, including in the context of procurement. This part of the Plan relates to ensuring engagement with potential contractors will be carried out early, and opportunities publicised to maximise local reach.

Table 3-1 summarises expected jobs and skills requirements, and Table 3-2 summarises expected equipment requirements.

Requirement 18 of the **draft Development Consent Order [REP2-004]** secures the submission and approval of the detailed SSCEP by North Yorkshire Council before any part of the authorised development can commence.

Community benefits fund

The Department for Energy Security and Net Zero published a working paper seeking views on potential mandatory community benefits for low carbon energy infrastructure and shared ownership schemes¹ on 21 May 2025. This working paper recognises that, in delivering net zero by 2050, *“some communities will see an increase in energy infrastructure being built in their area, such as onshore wind and solar, making them vital players in achieving net zero and energy security”*.

The working paper explores the principle that developers with schemes of 5 MW or more of installed capacity, including for solar, must provide community benefit funds. The consultation on the working paper closed 16 July 2025. At time of writing the government has not published details of its reaction to the consultation responses.

At time of writing, there are no statutory provisions and there is no published national guidance for community benefits in relation to solar projects. Nevertheless, the Applicant is committed to discussing the scope of local community benefits with North Yorkshire Council.

However, any discussions should be in the context of the case of *R(Wright) v Resilient Energy Severndale Limited and Forest of Dean Council*, which established that community benefit funding mechanisms are not a matter to be considered in the planning process. As

¹ Department for Energy Security and Net Zero, **Community Benefits and Shared Ownership Working Paper**, available at: <https://assets.publishing.service.gov.uk/media/682b5647010c5c28d1c7e7ff/community-benefits-and-shared-ownership-working-paper.pdf> (viewed 9 September 2026)

such, community benefits are not a matter considered in the planning balance for the Proposed Development.

Similarly, the Applicant does not seek to say that any community benefit package should be seen as mitigation. The planning balance is a question of whether benefits outweigh the harm, with the nature of the harm taking account of mitigation in place. The Applicant's position is that the benefits of the Proposed Development, both nationally (through the renewable energy generation provided) and locally (through the commitments in the oSSCEP and the measures secured by the **oLEMP [REP2-095]**, outweigh the limited harm arising.

2.11 Land interests and Book of Reference corrections

Interested Party's comments – RR-1051 Section 13

Applicant response references: LND-06 and LND-07 (p.442).

What the Applicant says

The Applicant says it conducted diligent inquiry, acknowledges that legal interests or categories may be missing or incorrect, asks the respondent to notify its land agents, and says the next Book of Reference can be corrected. I have spent thousands of pounds and many hours establishing the matters affected, why have Dalcour Maclaren not done the same? Why it is down to me to set out what the issues are, when you have acknowledged that it is incomplete?

What remains unanswered or inadequate

- **The current position is left unresolved.** The response does not state the correct category or interest, the plots and rights affected, whether the land agent has already been notified, or the consequences for notices and the compulsory-acquisition case.
- **There is no correction timetable or confirmation.** A promise to correct a future version does not allow the Interested Party or Examining Authority to verify the present legal-interest position.

Requested examination action: Require written confirmation of the affected plots, the correct interest/category, the change to the Book of Reference and Land Plans if any, the notice position, and the deadline/version in which the correction will appear. The Applicant should not leave the burden solely on the Interested Party where its own Part 2 response acknowledges a potential omission.

Applicant's reply

The Applicant accepts responsibility for undertaking diligent inquiry to identify all persons with an interest in land affected by the Proposed Development and has done so in accordance with the land referencing methodology set out in Chapter 8 of the **Statement of Reasons [REP2-009]**. The Applicant does not seek to transfer that responsibility to affected persons.

As explained in Chapter 8 of the Statement of Reasons, the Applicant's diligent inquiry has comprised a range of investigations, including Land Registry searches, review of title documentation and plans, examination of available public records, issuing Land Interest Questionnaires (LIQs) to identified parties, consultation with local authorities and other relevant bodies, site inspections, and ongoing engagement with landowners, occupiers and those claiming an interest in affected land. These activities have been supplemented by continued checks and verification exercises throughout the pre-application and Examination periods.

The fact that the Applicant acknowledges that legal interests or categories may require correction should not be taken as an indication that diligent inquiry has not been undertaken. Rather, it reflects the practical reality, recognised within the DCO regime, that land ownership and occupation arrangements can be complex and are not always fully

ascertainable from publicly available records alone. Interests may be unregistered, recently created, subject to private arrangements, inaccurately recorded in source documents, or may change during the course of the application and Examination. As a result, despite extensive and proportionate inquiry, there remains the possibility that additional information comes to light after publication of a particular version of the Book of Reference (including receiving responses to LIQs at a later date).

The Applicant therefore welcomes information provided by landowners and other affected persons, not because the Applicant is seeking to delegate its obligations, but because those parties often possess first-hand knowledge of interests, agreements and arrangements that are not evident from the records available to the Applicant. While the responsibility for identifying and verifying land interests remains with the Applicant, information provided by affected persons can assist the Applicant in reviewing its records, undertaking further enquiries where appropriate, and correcting or updating the Book of Reference where new evidence is identified

The Applicant's Land Referencing team continues to undertake proportionate diligent inquiry during the Examination and continues to review and verify all new information received. Where updates to legal interests are identified and substantiated, they will be incorporated into subsequent versions of the Book of Reference submitted in accordance with the deadlines and requests set by the Examining Authority. The Applicant remains committed to ensuring that the Book of Reference is kept as accurate and up to date as reasonably practicable throughout the Examination process.

3 The Applicant's Response to REP1-048 – Appendix C Questions

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Scheme maturity and design flexibility				
R-048-01	REP1-048	Scheme maturity and design flexibility	Please provide a consolidated schedule identifying which elements of the development are fixed and which remain to be determined after consent, including panel technology, panel height, array layout, BESS technology, conversion units, substations, access tracks, fencing, drainage and mitigation planting.	ES Volume 1, Chapter 2: The Proposed Development [REP2-027], paragraph 2.4.14 notes those aspects of the Proposed Development that require design flexibility and includes: 1) Solar PV Panels and panel type/specification; 2) Conversion Units and 33 kV Switch Rooms; 3) the BESS Compound and Substations; 4) Grid Connection Cables and Interconnecting Cables, i.e. the precise routing of the cables within the Cable Route Corridor; 5) Electrical design of the Proposed Development – maximum parameters for the Cable Route and Substations have been defined to allow for this flexibility; and 6) Access arrangements for Site 8 The ES has been based on the parameters, limits of deviation, commitments and mitigation measures and outcomes set out on the Works Plans [AS-004], the

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Design Principles and Commitments Document [REP2-021] , and the Management Plans.
R-048-02	REP1-048	Scheme maturity and design flexibility	Has the Environmental Statement assessed the full reasonable worst-case design permitted by the DCO, or has it principally assessed an illustrative or preferred layout?	The EIA presented within the ES has been undertaken adopting the principles set out in the Planning Inspectorate's Advice Note Nine: Rochdale Envelope which provides guidance regarding the degree of flexibility that may be considered appropriate within an application for development consent under the Planning Act 2008. ES Volume 1, Chapter 2: The Proposed Development [REP2-027] and the Design Parameters and Commitments document [REP2-021] sets out for each technical discipline, the maximum (and where relevant, minimum) parameters for the elements where flexibility needs to be retained and these have been assessed under the Rochdale Envelope approach. On this basis, the EIA assesses the reasonable worst-case design rather than an illustrative or preferred layout. The approach recognises that the worst-case parameter for one technical assessment may differ from another, ensuring that worst case overall impacts are predicted for each topic. The maximum lateral spatial extents are shown on the Works Plans [AS-004]. These parameters are not illustrative; they are set and secured via the DCO. The

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Applicant's approach is consistent with DCO practice for all project types.
R-048-03	REP1-048	Scheme maturity and design flexibility	Please demonstrate that the assessments remain valid for the worst-case positioning of panels, BESS, inverters, transformers, access tracks, lighting and fencing relative to homes, Public Rights of Way, sensitive habitats and landscape receptors.	As the EIA assesses the worst-case within set parameters (as shown on the Works Plans [AS-004] or described in the Design Parameters and Commitments document [REP2-021] and set and secured via the DCO), the position of key infrastructure such as BESS, Substations equipment, conversion units, panel etc will remain within those parameters and not exceed them, and therefore the assessment conclusions will be no worse than those presented within the ES.
R-048-04	REP1-048	Scheme maturity and design flexibility	What binding controls prevent higher-impact infrastructure from being moved at detailed-design stage into a location that has not been specifically assessed?	The Works Plans [AS-004] contain within them, limits of deviation for each package of works that are described in Schedule 1 of the Draft DCO [REP2-004] . Article 3(2) of the Draft DCO secures that each numbered package must be built within the numbered area for that work on the Works Plans. As such, for example, solar panels can only be installed in the areas marked as Work No. 1 on the Works Plans [AS-004] .

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-05	REP1-048	Scheme maturity and design flexibility	Will the Applicant accept a DCO requirement that the final scheme must result in no materially greater environmental effects, and no materially less effective mitigation, than assessed in the Environmental Statement?	No. This is notprecedented drafting in any DCO. The Environmental Statement has assessed the parameters and limits of deviation that are secured via the DCO. The ES is also based on the outcomes delivered by the measures set out in the outline Management Plans. NYC will approve the detailed management plans, which must be in substantial accordance with the outlines. Maintenance of the Proposed Development can only take place if it would not give rise to any materially new or materially different effects in comparison with those reported in the environmental statement, secured by article 5(3).
Preliminary works				
R-048-06	REP1-048	Preliminary works	Please identify precisely which works may be undertaken as “permitted preliminary works” before formal commencement of the development.	The 'permitted preliminary works' are defined in article 2 of the Draft DCO [REP2-004] , as submitted at Deadline 2.
R-048-07	REP1-048	Preliminary works	Could vegetation clearance, access-point construction, haul-road preparation, land remediation, groundworks or Public Rights of Way works take place before the principal	Save for vegetation clearance, which requires a detailed CEMP to be approved, yes. This is considered appropriate given the nature of the works. As noted below, relevant controls have now been secured via the recent amendments to the DCO and submission of the Permitted Preliminary

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
			Construction Environmental Management Plan and Construction Traffic Management Plan have been approved?	Works Environmental Management Plan (PPWEMP) [REP2-113].
R-048-08	REP1-048	Preliminary works	Where preliminary works involve heavy plant, HGV movements, vegetation removal or substantial ground disturbance, why should they not be subject to the same controls over working hours, traffic routes, noise, dust, drainage and ecology as the main construction works?	The PPWs are works deliberately designed to avoid such effects. In any event a PPWEMP [REP2-113] has been submitted which provides for proportionate controls for the nature of the works.
R-048-09	REP1-048	Preliminary works	Will the Applicant amend the DCO to require an approved Preliminary Works Environmental Management Plan and Preliminary Works Traffic Management Plan before any substantial preliminary activity begins?	The Applicant has amended the DCO at Deadline 2 to provide that the permitted preliminary works must be carried out in accordance with the PPWEMP [REP2-113] submitted at Deadline 2. Given the limited nature of the Permitted Preliminary Works, a Preliminary Works Traffic Management Plan is not considered necessary.
R-048-10	REP1-048	Preliminary works	Will early landscape planting be expressly permitted and encouraged as a preliminary work, subject to an approved planting programme,	The submitted PPWEMP [REP2-113] will require a programme for the PPWs to be notified to North Yorkshire Council before they are carried out. Early planting, above and beyond that required for glint and glare effects, is not specifically encouraged as it is not

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
			establishment monitoring, watering and replacement obligations?	considered necessary on the basis of the conclusions of the Environmental Statement.
Maintenance and replacement works				
R-048-11	REP1-048	Maintenance and replacement works	What major replacement campaigns are currently anticipated during the 60-year operational period for solar panels, BESS cells, inverters, transformers and associated electrical infrastructure?	The assumptions in respect of replacement campaigns are set out in ES Volume 1, Chapter 2: The Proposed Development [REP2-027] .
R-048-12	REP1-048	Maintenance and replacement works	What assumptions have been made about the frequency, duration, HGV movements, waste generation and local effects of those replacement works?	The assumptions in respect of replacement campaigns are set out in ES Volume 1, Chapter 2: The Proposed Development [REP2-027] . Each topic chapter of the ES sets out the assumptions that apply to that topic with a specific section on replacements.
R-048-13	REP1-048	Maintenance and replacement works	Will major maintenance and replacement campaigns be subject to the same controls over traffic, working hours, noise, dust, lighting, Public Rights of Way, drainage and ecology as the original construction works?	No. The measures to be applied to any replacement campaign are set out in the outline Operational Environmental Management Plan (oOEMP) [REP2-091] .
R-048-14	REP1-048	Maintenance and	How will the DCO ensure that replacement panels or equipment are not taller, larger, noisier, more prominently illuminated or more visually	The design parameters that apply to the Proposed Development apply for the lifetime of the Proposed Development, including any replacement equipment.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
		replacement works	harmful than the infrastructure and effects originally assessed?	The measures in the outline Operational Environmental Management Plan (P) [REP2-091] will also apply for the lifetime of the Proposed Development.
R-048-15	REP1-048	Maintenance and replacement works	Will a Major Maintenance and Replacement Plan be required before each substantial replacement campaign, including arrangements for recycling and disposal of replaced panels, batteries and electrical equipment?	No. The measures to be applied to any replacement campaign are set out in the outline Operational Environmental Management Plan (oOEMP) [REP2-091] .
Carbon strategy				
R-048-16	REP1-048	Carbon strategy	What quantified whole-life carbon savings were achieved during design optimisation, and against what baseline were those savings measured?	The impact assessment has sought to consider the likely scale and impact of greenhouse gas emissions (GHG) associated with the Proposed Development. The assessment does not seek to set out quantified reductions achieved, but to measure the embodied GHG impact from construction stage and from other material emissions sources. As per paragraph 9.10.3 of ES Volume 1, Chapter 9: Greenhouse Gas Emissions [APP-047] , full construction design and logistics are yet to be confirmed. The assumptions underpinning the assessment are set out in ES Volume 3, Appendix 9.1: Greenhouse Gas Emissions Assessment [APP-166] .

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Recommended ongoing carbon management through further design stages, construction, and operation would be expected to identify additional opportunities to deliver whole life carbon benefits across the lifetime of the Proposed Development, but the assessment does not assume any reduction arising from them. These commitments are secured through the oCEMP [REP2-089] and oOEMP [REP2-091] .
R-048-17	REP1-048	Carbon strategy	Which decisions taken in accordance with PAS 2080 resulted in measurable carbon reductions?	As per paragraph 9.10.3 of ES Volume 1, Chapter 9: Greenhouse Gas Emissions [APP-047] , full construction design and logistics are yet to be confirmed. As such, no decisions taken to date have specifically been identified as resulting in measurable carbon reductions. Recommended ongoing carbon management through further design stages, construction, and operation would be expected to identify additional opportunities to deliver whole life carbon benefits across the lifetime of the Proposed Development and are summarised in sections 9.4 and 9.10 of the ES Chapter. These commitments are secured through the oCEMP [REP2-089] and oOEMP [REP2-091] .
R-048-18	REP1-048	Carbon strategy	Were alternative panel technologies, BESS configurations, equipment locations, cable routes, access-track designs and construction methods	The ES Volume 1, Chapter 3: Alternatives and Design Iteration [REP2-029] , Site Selection Assessment Report [AS-019] and the Design Approach Document [APP-216] explains the Applicant's approach to the development of

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
			assessed to minimise embodied carbon?	panel technologies, the BESS and cable routes, and explains how a number of factors determined the appropriate choices and locations for the Proposed Development. No specific assessment was done to identify whether one choice would be more carbon efficient than the other specifically, however the Applicant would note in general terms that: • in choosing the cable route, the Applicant sought to take the most direct/shortest route, minimising interference with third party land where reasonably practicable (but accounting for other constraints) and thus also minimising the embodied carbon involved in installing a longer route; and • in considering panel choices, the Applicant notes that embodied carbon considerations need to be balanced with performance, given that the latter is what leads to carbon savings in the grid. In relation to access tracks, the Applicant has sought to re-use existing tracks wherever possible to minimise the need for new tracks where reasonably practicable. The GHG assessment, presented within ES Volume 1, Chapter 9: Greenhouse Gas Emissions [APP-047] and

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				the associated ES Volume 3, Appendix 9.1: Greenhouse Gas Emissions Assessment [APP-166] , sought to identify and assess a reasonable worst-case scale of project emissions from the construction of the Proposed Development on the basis of the design choices made to date, but the commitments that the Applicant has made in the oCEMP [REP2-089] and oOEMP [REP2-091] incorporate carbon considerations, where appropriate, to how the Proposed Development will be constructed and maintained.
R-048-19	REP1-048	Carbon strategy	What increase in soil carbon stocks is expected from the change from arable land to grassland?	ES Volume 3, Appendix 9.1: Greenhouse Gas Emissions Assessment [APP-166] considered the likely scale of emissions arising from disturbance of soils during construction, and the likely scale of sequestration during operation. As the overall scale of these is not considered material in the assessment of significance, when compared to other GHG emissions sources, a full reporting of soil carbon stocks is not available. The carbon factors reported within Table 5-1 of ES Volume 3, Appendix 9.1: Greenhouse Gas Emissions Assessment [APP-166] provide the carbon sequestration values for arable land as +0.29 tCO ₂ e/ha/year, and for neutral grassland carbon sequestration factor as 0 tCO ₂ e/ha/year.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-20	REP1-048	Carbon strategy	What reduction in agricultural emissions is expected from the cessation or reduction of existing farming activities?	The ES Volume 1, Chapter 9: Greenhouse Gas Emissions [APP-047] has not sought to quantify the scale of emissions reductions that might arise from reduced farming activities within the study area. However, generally it is expected that such emissions will be lower under the Proposed Development than under existing land uses. On this basis the net change in GHG emissions arising from the Proposed Development would be likely to be lower than set out in the ES should agriculture energy and fertiliser use be utilised on an on-going basis, absent the Proposed Development. On this basis it is unlikely that the omission of these emissions sources has affected the conclusions of the significance assessment.
R-048-21	REP1-048	Carbon strategy	Why are the carbon effects of biodiversity gains, grassland establishment, hedgerow creation and woodland planting not more explicitly quantified within the carbon assessment?	ES Volume 3, Appendix 9.1: Greenhouse Gas Emissions Assessment [APP-166] considered the likely scale of emissions arising from disturbance of soils during construction, and the likely scale of sequestration during operation based on the delivery of different habitats within the Proposed Development. As the overall scale of these is not considered material in the assessment of significance, when compared to other GHG emissions sources, a full reporting of gains from individual habitat creation is considered disproportionate.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-22	REP1-048	Carbon strategy	Does the carbon assessment represent the reasonable worst-case design permitted by the DCO?	The assessment has sought to present a reasonable worst case using benchmarks from similar sized schemes, seeking to avoid under-reporting of likely GHG emissions. These are fully set out in associated ES Volume 3, Appendix 9.1: Greenhouse Gas Emissions Assessment [APP-166] . On this basis it is considered a realistic and reasonable worst-case assessment (albeit noting the inherent uncertainties in quantification given the early stage of the Proposed Development design).
R-048-23	REP1-048	Carbon strategy	How sensitive are the carbon results to changes in equipment selection, panel technology, steel quantities, battery specification, cable lengths, transformer locations and site layout?	As noted in ES Volume 1, Chapter 9: Greenhouse Gas Emissions [APP-047] the full design is not yet developed for the Proposed Development, nor is there any certainty in the procurement and sourcing of specific project components. Broadly the carbon intensity (i.e. GHG emissions per unit) of these products is expected to fall over time, as manufacturing efficiencies improve and energy supplies for manufacture decarbonise. While this is a consideration for the eventual GHG impacts of the Proposed Development once delivered, the conservative approach to the GHG assessment [APP-166] has not sought to include this (beneficial) change. Given the assessment has sought to take a conservative approach in this regard, the likely impact of decarbonising supply chains is not considered

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				likely to influence the assessment of significance for the GHG topic.
R-048-24	REP1-048	Carbon strategy	Will any SF ₆ -containing switchgear or other SF ₆ -containing equipment be used?	As reported in point 9 of the key assumptions paragraph 9.6.4 of ES Volume 1, Chapter 9: Greenhouse Gas Emissions [APP-047], it was not possible to accurately quantify the SF₆ leakage emissions.. As set out in the outline OEMP [REP2-091], <i>"the Proposed Development will adhere to good practice and guidance regarding the emission of sulphur hexafluoride (SF₆). Gas insulated switchgear equipment is now supplied to minimise leakages. Additionally, through regular checks of the equipment for gas leaks, it can be expected that leaks to be de minimis"</i>. This comment should be seen in the context that as a result of increased focus on the impacts of SF₆ emissions the range of available technologies using insulators with lower Global Warming Potentials is increasing. This, coupled with significantly reduced loss rates from new equipment, are expected to reduce any potential GHG impacts from their use within the Proposed Development. The recommendation for ongoing carbon management aligned with PAS 2080 will provide a mechanism for ongoing

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				assessment of opportunities to reduce GHG impacts from the Proposed Development.
R-048-25	REP1-048	Carbon strategy	If so, why have lifecycle emissions, including expected leakage, maintenance losses and end-of-life losses, not been quantified?	Please refer to the response above (R-048-24).
R-048-26	REP1-048	Carbon strategy	Why is no project carbon monitoring proposed during detailed design, procurement, construction, operation, replacement and decommissioning?	There is no policy or statutory requirement for project carbon monitoring to be put in place as a requirement, and the Environmental Statement identifies that there are beneficial effects from the Proposed Development before any assumptions of carbon savings are taken into account. In that context, the Proposed Development has not made any specific commitments in respect of carbon monitoring.
R-048-27	REP1-048	Carbon strategy	Why are no embodied-carbon performance targets, reporting obligations or carbon-reduction commitments secured through the DCO?	Please refer to the response above (R-048-26).

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Agricultural land and Best and Most Versatile land				
R-048-28	REP1-048	Agricultural land and Best and Most Versatile land	How did the Applicant apply the avoidance of Grades 1, 2 and 3a Best and Most Versatile agricultural land when selecting the site and developing the layout?	ES Volume 3, Appendix 3.1: Site Selection Assessment Report (SSAR) [AS-019], explains the Applicant's approach to site selection. The Report sets out the stages to finding the proposed sites with Stage 1 being identification of an area of search, Stage 2 explains the approach to searching for land where planning, environmental and spatial constraints, including amongst others Best and Most Versatile (BMV) agricultural land, were used as criteria to find unconstrained land. Stage 3 explains how operational criteria were applied to identify potential development areas (PDAs) including previously developed land; Stage 4 involved the evaluation of the of the PDAs. The Stage 4 process, explained in detail in Section 3.2 of the SSAR [AS-019] did not identify any unconstrained PDAs (PDAs 1 to 4). Stage 5 therefore explains the widened search area to include Grade 2 and 3 Agricultural land, Green Belt and Flood Zones 2 and 3. This led to the identification of PDAs 5-9 where none of the alternatives provided, on balance, a suitable alternative to PDA8. Table 3-1 in the SSAR [AS-019] provides a comparison between PDAs5-9.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				As set out in ES Volume 3, Appendix 3.1: Site Selection Assessment Report (SSAR) [AS-019] where possible the design sought to, where practicable, locate infrastructure on lower quality land. Further information regarding site selection and layouts within the Solar Development Sites is described in the response below (R-048-29).
R-048-29	REP1-048	Agricultural land and Best and Most Versatile land	What alternative configurations were considered that would have reduced the amount of BMV land occupied by BESS, substations, conversion units, tracks and other built infrastructure?	ES Volume 1, Chapter 3: Alternatives and Design Iteration [REP2-029], Section 3.4, describes the design iterations for the Solar Development Sites (SDS), following an environmentally led design approach, whereby published data, plus environmental surveys and assessments were used to inform the SDS layouts, taking account of a range of environmental factors such as flood risk. The Design Approach Document (DAD) [APP-216] also explains how BMV considerations were considered as part of the process of determining the location of the associated BESS and substations, given they have the most meaningful effect to soils. Best and Most Versatile (BMV) agricultural land has been included as a criterion in applying the environmentally led design approach. The Applicant has sought to locate the development in areas of lower soil quality. However, it remains that the

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				development will be constructed on some BMV, where factors including, but not limited to, archaeology, location of sensitive receptors, and the need to minimise placing sensitive equipment in Flood Zones 2 and 3, have also influenced decision making. Updated ES Volume 1, Chapter 5: Agricultural Land and Soils [REP2-031] paragraph 5.9.18 explains that 80% of the agricultural land in Selby District is estimated to be BMV quality. Any large-scale development is very likely to require the use of BMV quality land. The same chapter confirms in paragraphs 5.9.26 to 5.9.29 that there are anticipated to be significant benefits to soil health over the lifetime of the Proposed Scheme. As the soils will be left in-situ and undisturbed, the soil and land will be safeguarded for the future. The updated Planning Statement [REP2-015] reports at paragraph 7.6.34 that the 2024 Written Ministerial Statement 'Solar and protecting our Food Security and BMV Land' (which although now identified as not up to date Government policy in Appendix A of the updated NPPF, still has useful contextual information on this point) estimates that, even under the most ambitious scenarios for solar energy, the total area of agricultural land used for solar

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				panels would occupy less than 1% of the UK's agricultural land. In the Land Use Framework for England, published in March 2026², in the context of energy infrastructure and clean power states <i>"By 2030, renewable energy infrastructure will drive increased energy security; at least 95% of electricity will come from clean power sources, and billpayers across the country will be protected from spikes in energy prices. Solar and wind will remain a small proportion of land use, and much of this land will be managed sustainably to boost and deliver other outcomes, such as grazing animals for food production or rewetting lowland peat soils beneath new solar farms"</i> (page 11).
R-048-30	REP1-048	Agricultural land and Best and Most Versatile land	Please confirm the final or worst-case area of agricultural land that would be occupied by built infrastructure, broken down by agricultural land grade.	Section 5.9 of ES Volume 1, Chapter 5: Agricultural Land and Soils [REP2-031] , paragraph 5.9.13 onwards provides information on the quantum and grades of agricultural land occupied by built infrastructure, based on the limits of deviation and parameters for this infrastructure set out in the Works Plans and the Design Parameters and Commitments Document.

² Department for Environment, Food & Rural Affairs, *The Land Use Framework for England*, March 2026, p.11

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-31	REP1-048	Agricultural land and Best and Most Versatile land	Please confirm whether the approximately 19.1 hectares identified for BESS and other built structures is treated as a permanent or long-term loss for the full 60-year operational period.	The 19.1 ha of agricultural land lost to built structures, including the BESS, substations, conversion units, and accesses for the BESS and Substation areas, is treated as a 'permanent' loss for the full 60-year operational period.
R-048-32	REP1-048	Agricultural land and Best and Most Versatile land	How much agricultural land would be used for landscape planting, woodland, hedgerows and bird-mitigation areas, and how has that land been treated in the agricultural assessment?	All land within the Order Limits for the Proposed Development, which includes land used for landscape planting, woodland, hedgerows and bird mitigation area, has been assessed for impact on agricultural land within the Agricultural land and soils assessment, ES Volume 1, Chapter 5: Agricultural Land and Soils [REP2-031]. The ES assumed that these areas would be returned to agriculture, but a note was provided at Deadline 2, within the Deadline 2 Cover Letter [REP2-001] which presents a sensitivity test to consider the implications if all landscaping and planting areas were retained permanently and not restored to agricultural use.
R-048-33	REP1-048	Agricultural land and Best and Most	What sensitivity analysis has been undertaken of the ecological, landscape and carbon consequences of removing mature hedgerows, woodland and other mitigation at decommissioning?	Considering the anticipated 60-year lifespan of the Proposed Development, the accurate prediction of decommissioning effects is challenging and can only be informed by the legal, policy and conservation constraints and priorities present at the time of application.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
		Versatile land		The outline Decommissioning Environmental Management Plan (oDEMP) [REP2-093] sets out the requirements that the DEMP, must comply with to ensure no significant environmental effects. This includes, amongst others; re-surveying on the ecological baseline to identify any new ecological constraints and ensure no significant effects result from decommissioning; and ensuring that decommissioning activities take account of new environmental objectives. Section 2.1 of the outline Decommissioning Environmental Management Plan (oDEMP) [REP2-093] sets out the activities that would be carried out during decommissioning. This does provide for the removal of hedgerows and woodland, to be consistent with what is agreed with the landowners. This has been taken into account in the Landscape assessment in the ES. The GHG assessment [APP-166] considered the likely scale of emissions arising from disturbance of soils during construction, and the likely scale of sequestration during operation based on the delivery of different habitats within the Proposed Development. As the overall scale of these is not considered material in the assessment of significance, when compared to other GHG emissions sources, a full reporting of gains from individual habitat creation (and thus

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				associated loss at decommissioning even if they were considered to have the same carbon value) is considered disproportionate. The same would be applied to what is likely to be relatively minimal removal of mature hedgerows, woodland and other mitigation at decommissioning.
R-048-34	REP1-048	Agricultural land and Best and Most Versatile land	Why should the DCO assume that all mature landscape and ecological mitigation will be removed after 60 years, rather than requiring an assessment at that time of whether retention would be environmentally preferable?	The assumption that all mature landscape and ecological mitigation will be removed after 60 years, generally presents a worst-case scenario for biodiversity, landscape and ornithology topics. It does not represent a worst-case though for agriculture and this is why a sensitivity test [REP2-001] has been undertaken to assess the potential 'worst-case' effects for agricultural land at decommissioning. Ultimately – as noted above, it is difficult to predict the environmental baseline and environmental requirements 60 years hence and the oDEMP [REP2-093] outlines measures to undertake evaluation prior to decommissioning, of the potential for environmental effects. This is in the context that at the time, the Applicant would no longer have control of the land and the Proposed Development would no longer be present to be causing an impact. It will be for the landowners to determine what happens to mitigation, in the context of the legislative and policy requirements which exist at the time.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Traffic and transport				
R-048-35	REP1-048	Traffic and transport	Please provide the agreed present-day and future-year capacity assessment for the A63/A162 roundabout, including traffic from existing development, committed development, the proposed highway upgrades and Light Valley Solar.	The Applicant notes this comment. The Applicant has engaged with North Yorkshire Council (NYC) Highways regarding the A63/A162 roundabout and understands that NYC has developed a transport model of the junction. The Applicant has requested a copy of this model to enable a junction capacity assessment to be undertaken and has offered to provide forecast trip generation associated with the Proposed Development for testing within the model. This will assist the Council in considering next steps for the roundabout, but is not required for the Proposed Development, for the reasons set out below. Notwithstanding this, the Transport Assessment (TA) [REP2-077] assessed the existing operation of the A63/A162 roundabout using observed traffic survey data collected in 2025. This demonstrates that the junction experiences distinct weekday morning and evening peak periods, with traffic flows reducing considerably outside these times. Construction traffic associated with the Proposed Development is forecast to increase traffic flows on this section of the highway network by approximately 1%. Given

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				the scale of this increase, the Applicant does not consider that it would materially affect the operation or capacity of the A63/A162 roundabout. Furthermore, the majority of construction vehicle movements would occur outside the network peak periods, in accordance with the measures set out in the outline Construction Traffic Management Plan (oCTMP) [REP2-103]. As such, the Applicant considers that the Proposed Development would not give rise to a severe impact on the operation of the local highway network, including the A63/A162 roundabout. The updated oCTMP includes a commitment to a Traffic Liaison Group that would seek to manage and co-ordinate the delivery of the schemes in order to minimise and mitigate the combined impact of construction traffic.
R-048-36	REP1-048	Traffic and transport	Does the proposed Phase 1 improvement fully mitigate the traffic generated by the developments that funded it? If not, how has the remaining capacity problem been reflected in the Light Valley Solar assessment?	The Applicant notes this comment and advises that the highway improvement scheme at the A63/A162 roundabout has been developed by North Yorkshire Council to account for the committed developments in the area. The Transport Assessment (TA) [REP2-077] considers the cumulative effects of other developments on the transport network. The Transport Assessment includes an allowance for background traffic growth through the application of

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				TEMPro factors in the future baseline scenario, and the cumulative assessment accounts for committed development within the study area. The large number of cumulative developments impacting the A162/A63 roundabout are acknowledged within Section 6 of the TA. The assessment acknowledges that there is potential for impacts on driver delay due to the A63/A162 roundabout being at capacity – but that future roundabout upgrades and measures to manage traffic associated with the Proposed Development would reduce these impacts to negligible.
R-048-37	REP1-048	Traffic and transport	What is the design, funding and delivery status of any Phase 2 improvement, and what financial or physical contribution is the Applicant proposing to make?	The Applicant notes this comment and will continue to work with North Yorkshire Council as the Local Highway Authority regarding the status of the roundabout scheme. No contribution has been sought or should be required (given the impacts assessed) from the Applicant.
R-048-38	REP1-048	Traffic and transport	What evidence demonstrates that scheduling deliveries outside peak periods would be sufficient to prevent unacceptable capacity, safety and amenity effects?	Plate 6-1 in the Transport Assessment (TA) [REP2-077] shows the daily profile of the traffic on Main Street on approach to the A63/A162 roundabout. The highest existing flows occur during the morning and evening peak periods, particularly between 07:00 and 09:00 and between 15:00 and 18:00, with a peak hour of 711 movements between 17:00 and 18:00. Construction traffic would be managed to avoid these periods, with no

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				construction movements assigned during the identified peak hours. Survey data shows that outside the peak periods (09:00-15:00), no single hour records over 550 movements. Therefore, when staggering the forecast construction movements (120 daily movements on average across the construction period), the roundabout would still be operating significantly below the peak hour traffic flow. The Applicant remains in regular discussion with North Yorkshire Council regarding the management of construction traffic at the A63/A162 roundabout, including whether the Applicant's construction traffic forecasts should be tested within the Council's junction model and the use of alternative routing arrangements if the planned improvement works have not been completed before the relevant construction activities commence. This would be able to be managed pursuant to the final CTMP. On this basis, the Applicant considers that construction traffic can be appropriately managed without concentrating additional movements during the busiest periods on the local highway network.
R-048-39	REP1-048	Traffic and transport	What is the current status of the assessment of the route to Site 4	The route from the A19 through West Haddlesey to Solar Development Site 4 has been assessed within ES Volume

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
			through West Haddlesey, the use of minor roads through South Milford and any alternative construction routes?	1, Chapter 14: Traffic and Movement [REP2-041] and ES Volume 3, Appendix 14.1: Transport Assessment [REP2-077]. The Applicant acknowledges that sections of the route pass through residential areas and near community facilities and accepts that part of the route could reasonably be considered to have a higher sensitivity to changes in traffic. However, even where a higher receptor sensitivity is applied, the limited and temporary increase in traffic associated with the Proposed Development does not alter the conclusions of the assessment. No significant traffic and movement effects are therefore anticipated, subject to the measures secured through the final Construction Traffic Management Plan. Further details of the Site 4 route-selection process were provided at Deadline 1 within the Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 1 [REP1-004]. A Technical Note appended to that submission explains the role of the route through West Haddlesey within the wider construction access strategy and considers alternative approaches to Site 4. The reference to minor roads through South Milford is understood to include Common Lane, which forms part of the assessed construction route to Solar Development Sites 6 and 7. The Applicant acknowledges the rural character

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				and local constraints of Common Lane, including its limited width and use by pedestrians, cyclists and equestrians. These conditions were considered within the assessment. ES Volume 1, Chapter 14: Traffic and Movement [REP2-041] identifies a 'Small' level of fear and intimidation on Common Lane in both the baseline and 'with construction' scenarios. The temporary increase in construction traffic would therefore not result in a change in the assessed level of fear and intimidation. Construction traffic would be managed through the final Construction Traffic Management Plan, including appropriate routing, timing, passing arrangements and traffic-management measures. With those measures in place, the route would be no less safe than under existing conditions. The construction routes assessed for the Proposed Development, including alternative routes to the Strategic Road Network, are shown in ES Volume 2, Figure 14.4: Construction Routing [APP-113].
R-048-40	REP1-048	Traffic and transport	Have all abnormal-indivisible-load routes, structures, junctions, turning movements and site accesses been fully surveyed and agreed with the highway authority?	The anticipated Abnormal Indivisible Load routes and associated swept-path assessments are presented in Annex C of ES Volume 3, Appendix 14.1: Transport Assessment [REP2-077]. The work undertaken demonstrates that the anticipated routes are feasible at this stage of the Proposed Development.

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				As is normal for Abnormal Indivisible Load movements, the final vehicles, axle configurations and detailed transport arrangements will be confirmed closer to the time of movement. The final movements will be subject to the established notification and approval processes involving the relevant highway and bridge authorities and the police. Further structural assessment is required for the A63 Monk Fryston Railway Bridge on the proposed route to Site 2. Discussions are ongoing with North Yorkshire Council, as Technical Approval Authority, to agree whether that assessment will be undertaken through its framework consultant or by a third-party engineer. The suitability of the bridge for the proposed loads cannot be confirmed until that assessment has been completed. If a structure does not pass the detailed assessment, other options would be considered, which may include an alternative route, alteration of the transport arrangement or an appropriate temporary bridging solution, subject to approval by the relevant authority. Consequently, the detailed AIL arrangements have not yet been fully agreed, but follow an established process for completing the necessary assessment and approvals before the movements take place. This is also discussed in the Deadline 2 Cover Letter [REP2-001].

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-41	REP1-048	Traffic and transport	What highway matters remain unresolved with North Yorkshire Council, and when will the complete evidence and the Council's concluded position be available to the Examination?	The Applicant has continued to engage with North Yorkshire Council in relation to traffic and transport matters throughout the development and Examination of the Proposed Development. This engagement has included meetings, correspondence and site visits to review the proposed construction routes, access arrangements and associated traffic management measures. A further meeting was held with North Yorkshire Council on 8 September 2026 to discuss the Council's Local Impact Report, the Applicant's response submitted at Deadline 2 and the outstanding matters requiring further consideration. The meeting provided an opportunity to review the current position and identify the further information and actions required to progress discussions. A number of detailed matters remain subject to ongoing discussion. These principally relate to the development and approval of detailed construction traffic and highway arrangements and do not alter the conclusions of the traffic and movement assessment presented within ES Volume 1, Chapter 14: Traffic and Movement [REP2-041] and ES Volume 3, Appendix 14.1: Transport Assessment [REP2-077]. The Applicant and North Yorkshire Council are continuing to work constructively towards a Statement of Common

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Ground ahead of Deadline 3. This will record the matters that have been agreed, identify any matters that remain outstanding and set out the process or actions through which those matters will be addressed.
R-048-42	REP1-048	Traffic and transport	Will traffic controls apply to preliminary works, main construction, major replacement campaigns and decommissioning, rather than only the initial construction period?	Traffic controls appropriate to each phase of the Proposed Development are secured through the relevant management plan for that phase. Permitted preliminary works would be carried out in accordance with the Permitted Preliminary Works Environmental Management Plan (PPWEMP) [REP2-113] submitted at Deadline 2. Given the limited nature of those works, a separate Preliminary Works Traffic Management Plan is not considered necessary. Main construction activities would be undertaken in accordance with the detailed Construction Traffic Management Plan. The detailed CTMP must be prepared in substantial accordance with the outline Construction Traffic Management Plan (oCTMP) [REP2-103] and approved before construction begins. Operational maintenance and replacement activities would be managed through the measures in the outline Operational Environmental Management Plan (oOEMP) [REP2-091]. Replacement activity would be lower in scale

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				than the construction scenario assessed in the Transport Assessment, not least because replacement would not require the cable corridor construction movements that form a substantial component of initial construction traffic. Traffic associated with decommissioning would be managed through the relevant decommissioning management arrangements secured by the DCO, as set out in the outline Decommissioning Environmental Management Plan (oDEMP) [REP2-093]. The measures would therefore be proportionate to the nature, scale and potential effects of the activities undertaken during each phase, rather than applying the initial construction CTMP unchanged throughout the lifetime of the Proposed Development.
R-048-43	REP1-048	Traffic and transport	What monitoring and enforcement measures will prevent HGVs from using unauthorised routes or travelling outside approved hours?	The outline Construction Traffic Management Plan (oCTMP) [REP2-103] establishes the framework for managing and monitoring construction traffic. The detailed CTMP will be agreed with North Yorkshire Council before construction begins and will specify the approved construction routes and vehicle timing requirements. Construction traffic controls will include driver induction and briefing requirements, the communication of approved routes to contractors and suppliers, site access management, delivery scheduling, signage where appropriate and monitoring of compliance. The Principal

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Contractor will be responsible for implementing the approved CTMP and managing the conduct of its contractors and suppliers. The detailed CTMP will also establish the process for investigating reported breaches and implementing corrective action. Where a contractor or driver does not comply with the approved requirements, the Principal Contractor will be able to require corrective measures through its contractual and site-management arrangements. The Community Liaison Group and community engagement arrangements will provide a mechanism through which concerns regarding construction vehicle routing or timing can be raised, investigated and addressed during the construction period. Ultimately compliance with the final CTMP is required by the DCO. Breach of a DCO Requirement is a criminal offence.
R-048-44	REP1-048	Traffic and transport	Why has the traffic assessment not stated that there are no HGVs that currently pass the Network Rail Compound on Common Lane and therefore increasing HGV traffic by 100%?	The Applicant understands this question to relate to the Network Rail compound on Common Lane in South Milford. ES Volume 2, Figure 14.5: Traffic Survey Locations [APP-114] shows that the traffic survey counter for Common Lane, identified as Link 18, was positioned towards the western end of Common Lane, immediately east of the railway bridge. The survey therefore recorded traffic using

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				this section of Common Lane but was not intended to identify the origin or destination of individual vehicles, including whether vehicles continued past or accessed the Network Rail compound. The baseline traffic survey recorded an Annual Average Daily Traffic flow of 283 vehicle movements on Common Lane, including 17 HGV movements. Following the application of background traffic growth, the 2029 baseline used in the assessment comprises 292 daily vehicle movements, including 17 HGV movements. The peak construction scenario assessed within the Transport Assessment [REP2-077] comprises 376 daily vehicle movements on Common Lane, including 32 HGV movements. This represents a peak increase of 29% in total traffic and 83% in HGV movements compared with the 2029 baseline. The assessment therefore does not assume that the existing HGV flow on Common Lane is zero. The construction traffic increase would be temporary and would be managed through the detailed Construction Traffic Management Plan. The Applicant therefore considers that the baseline data and assessment provide an appropriate basis for considering the effects of construction traffic on Common Lane.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Noise and vibration				
R-048-45	REP1-048	Noise and vibration	Please provide technology-specific noise modelling for the final proposed panel-tracking motors, BESS units, inverters, transformers and other electrical equipment.	Details of the assumptions about operational noise plant are presented in ES Volume 3, Appendix 11.3: Operational Noise and Vibration Assumptions and Results [APP-173] in Table 2-1. The assumptions are presented for transformers, BESS enclosures, BESS conversion units, and Solar Development Site conversion units. Results of noise modelling are also presented in ES Volume 2, Figure 11.3: Operational Noise Modelling Results - Predicted Daytime Sound Rating Level - 4m Above Ground [APP-100], Figure 11.4: Operational Noise Modelling Results - Predicted Night time Sound Rating Level - 4m Above Ground [APP-101] and Figure 11.5: Operational Noise Modelling Results - Predicted Daytime Sound Rating Level - 1.5m above ground [APP-102]. The assessment of operational noise sources is undertaken in accordance with the British Standard 4142:2014+A1:2019 <i>Methods for rating and assessing industrial and commercial sound</i>, and details about noise modelling are presented in Section 11.5 of ES Volume 1, Chapter 11: Noise and Vibration [APP-049]. With regards to the final selection of plant and mitigation measures, as noted in Section 11.8 Embedded and good practice mitigation and enhancement measures of the ES

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Volume 1, Chapter 11: Noise and Vibration [APP-049], the design is expected to continue evolving, and changes may occur. Any changes, including the final selection of plant, 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 exercise will seek to confirm that the conclusions of that noise impact assessment have been borne out; and</i>

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				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) [REP2-091]. Information in respect of noise arising from trackers is set out in the Deadline 2 Cover Letter [REP2-001].
R-048-46	REP1-048	Noise and vibration	Has the cumulative noise from multiple tracking motors operating together or sequentially been assessed at the nearest homes and Public Rights of Way?	The assessment of operational noise sources is undertaken in accordance with the British Standard 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound is presented in Section 11.5 of ES Volume 1, Chapter 11: Noise and Vibration [APP-049]. The chapter notes the following: <i>"the proposed Solar Development Sites may use either fixed arrays or tracking systems. Fixed panels do not contain moving parts and therefore have no associated noise emissions. Tracking systems operate with small motors and generate very low levels of noise. Manufacturer data for a typical tracker motor indicates a sound pressure level of approximately 50 dB(A) at 1 m. These motors usually operate intermittently for short duration and only during the daytime. Given their low output and limited operation, the noise contribution from tracking motors is considered negligible and has not been included in the noise model or assessment."</i>

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				Furthermore, information on 'Noise modelling of tracker motors' has been presented in the Deadline 2 Cover Letter [REP2-001] . The information provided includes noise modelling, as presented in Annex E of the Cover Letter, and concludes that the operation of the Tracking Solar PV Tables would not give rise to significant operational noise effects upon sensitive receptors which include residential receptors and PRowS.
R-048-47	REP1-048	Noise and vibration	Please identify the predicted receptor-level noise from the BESS, rather than only the source sound-power level, and explain how tonality, intermittency, low-frequency sound and other acoustic characteristics have been addressed.	The assessment of operational noise, which includes transformers, BESS enclosures and BESS conversion units, is undertaken in accordance with the British Standard 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, as presented in Section 11.5 of ES Volume 1, Chapter 11: Noise and Vibration [APP-049]. Details of the assumptions about operational noise plant are presented in ES Volume 3, Appendix 11.3: Operational Noise and Vibration Assumptions and Results [APP-173] in Table 2-1. The results of predicted noise levels at specific receptors are presented in Table 2-2 and Table 3-2. The location of the assessed receptors is presented in ES Volume 2, Figure 11.2: Environmental Sound Survey and Assessment Locations [APP-099]. The assessment considers acoustic character of noise sources and applies acoustic feature penalties in line with BS4142 and as presented in Section 11.9 of ES Volume 1, Chapter 11: Noise and Vibration [APP-049]. The chapter

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				notes that <i>"In line with BS4142, a +4dB feature correction for clearly perceptible tonality has been applied to the specific sound level to determine the rating level. This is considered a reasonable worst-case scenario"</i>. The assessment also considers low frequency impacts by reference to NANR45 as presented in Section 11.9 of ES Volume 1, Chapter 11: Noise and Vibration [APP-049].
R-048-48	REP1-048	Noise and vibration	How will the Applicant ensure that future equipment selected after consent is no noisier than the equipment and effects assessed?	With regards to the final selection of plant and mitigation measures, 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, including the final selection of plant, 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</i>

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				<i>the operational noise sources will not lead to materially new or materially different effects that are worse than reported in this chapter;</i> 3. <i>A commitment to undertake and submit to North Yorkshire Council a verification exercise (the methodology for which will be sought to be agreed as part of the detailed OEMP) three months after operations begin for that part of the Proposed Development. This verification exercise will seek to confirm that the conclusions of that noise impact assessment have been borne out; and</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) [REP2-091].
R-048-49	REP1-048	Noise and vibration	What binding operational noise limits, commissioning tests, complaint-investigation procedures and remedial measures will be secured?	It is noted 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-

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				construction verification monitoring and, where necessary, remedial actions. These commitments are set out in the outline Operational Environmental Management Plan (oOEMP) [REP2-091]. The oOEMP also includes monitoring requirements for the detailed OEMP(s) to outline a communication strategy to address noise complaints, a transparent investigation protocol and a commitment to take remedial action where required.
R-048-50	REP1-048	Noise and vibration	Does the previous decision to scope out vibration remain valid for preliminary land remediation, heavy plant activity, access construction and future major replacement campaigns?	Construction vibration has not been scoped out of the assessment. The assessment of construction vibration (the results of which apply to at whatever point in time the activities occurs) is presented in ES Volume 1, Chapter 11: Noise and Vibration [APP-049]. Section 11.5 presents the methodology of the assessment which includes reference to BS 5228-2:2009+A1:2014 Part 2, as well as other relevant standards. Section 11.9 presents the assessment of vibration impacts including the mitigation measures identified in Section 11.8. Details of the predicted vibration levels are presented in ES Volume 3, Appendix 11.2: Construction Noise and Vibration Assumptions and Results [APP-172].

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				As noted in the outline Operational Environmental Management Plan (oOEMP) [REP2-091], the replacement of infrastructure, will follow, where practicable, the same principles to control noise outlined in the outline Construction Environmental Management Plan (oCEMP) [REP2-089]. The principles to control vibration also apply. For the decommissioning stage, the works which take place are expected to be similar in magnitude to (or less extensive than) those required for construction. The assessment presented for construction noise and vibration impacts is therefore representative of the decommissioning phase. With the implementation of a detailed Decommissioning Environmental Management Plan (DEMP) in substantial accordance with the oDEMP [REP2-093], the effects from decommissioning works are assessed as not significant.
Flood risk and drainage				
R-048-51	REP1-048	Flood risk and drainage	Please identify the most recent flood-risk and surface-water datasets used in the assessment and provide clear plans distinguishing Flood Zones 3a and 3b.	The Flood Risk Assessment (FRA) [REP2-079] has been prepared using the most up-to-date and relevant flood risk information available at the time of assessment, including Environment Agency (EA) National Flood Risk Assessment 2 (NaFRA2) fluvial and surface water flood risk mapping, together with detailed site-specific hydraulic modelling developed for the Proposed Development. The assessment

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				considers all relevant sources of flooding, including fluvial, surface water, groundwater, reservoir and artificial sources where applicable. The site-specific modelling provides a higher level of detail than national-scale mapping and has been used to refine the understanding of local flood risk where available. The EA Flood Map for Planning does not distinguish between Flood Zones 3a and 3b. The identification and delineation of Flood Zone 3b (functional floodplain) is typically the responsibility of the local planning authority, informed by the best available hydraulic modelling and local evidence. The Applicant identified the extent of functional floodplain using the best available information available at the time of assessment, including Environment Agency Product Data and site-specific hydraulic modelling presented in the FRA [REP2-079]. The Applicant's assessment applied the NPPF definition of functional floodplain, including land with a 3.3% AEP or greater probability of flooding and land intentionally designed to flood, such as washlands. This identified the washland south of Birkin Road at Site 4 as functional floodplain, which was subsequently excluded from the Order Limits. North Yorkshire Council did not object to the methodology used.

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				The hydraulic models reported in Annex I of the FRA [REP2-079] were also run for the present-day 3.3% AEP event. The Applicant has provided plans illustrating the 3.3% AEP flood extent, the probabilistic definition of Flood Zone 3b which are submitted alongside this submission in accordance with the Rule 17 Request dated 7 Sept 2026 by the Examining Authority. The only element of the Proposed Development considered to be located within the functional floodplain is the Cable Corridor where it crosses beneath the River Ouse and the associated floodplain, including the flood storage area at Wistow. No above-ground permanent development is proposed within this area; the permanent cable will be below-ground and therefore not result in any loss of floodplain storage or impede flows.
R-048-52	REP1-048	Flood risk and drainage	Has the Lead Local Flood Authority reviewed and agreed the Applicant's latest flood-risk and drainage evidence?	A summary of stakeholder engagement held to date is provided in Table 15-7 of ES Volume 1, Chapter 15: Water Resources and Flood Risk [REP2-043]. The Applicant has engaged with the Lead Local Flood Authority (LLFA) and IDBs and consultation responses received to date have been taken into account within the FRA [REP2-079]. The Applicant continues to engage with the relevant authorities during examination and have regard to any further comments received by the LLFA.

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R-048-53	REP1-048	Flood risk and drainage	Please provide plans identifying every panel, conversion unit, transformer, BESS component and other item of infrastructure located within or close to an area of fluvial or surface-water flood risk.	ES Volume 2, Figures 15.9: Risk of Flooding from Surface Water [REP2-054] and 15.10: Risk of Flooding from Rivers and Seas [REP2-055] present the EA risk of flooding from surface water and Flood Zones respectively. Figures 15.15 [REP2-057] and 15.16 [REP2-058] present the detailed site-specific flood model outputs for the Design Event and the Credible Maximum Scenario respectively. Furthermore, Figure 15.28 submitted within the updated FRA [REP2-079] alongside this submission shows the key elements of the Illustrative Layout alongside the design flood extents. These figures together depict flood risk in relation to flood-sensitive infrastructure such as the Substations and BESS. As set out in the FRA [REP2-079], the site-specific hydraulic modelling informed the iterative layout design and sequential siting of flood-sensitive infrastructure. Substations and the BESS are located outside of the design flood extent, whilst any flood-sensitive infrastructure affected in the credible maximum scenario would be raised above the relevant flood level in accordance with the agreed finished floor level parameters and freeboard requirements. In addition, the assessment concludes that the Proposed Development would not materially impede flood flows, result in a material loss of floodplain storage, or increase flood risk

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				elsewhere. Solar PV infrastructure is also considered flood compatible and has been designed and assessed accordingly. Further information on indicative levels and flood resilience measures is outlined within the FRA [REP2-079] and surface water flood risk will be managed through detailed design and the implementation of the measures outlined within the Outline Drainage Strategy (ODS) [REP2-085] and oCEMP [REP2-089]
R-048-54	REP1-048	Flood risk and drainage	For each item in a flood-risk area, please show the existing ground level, finished ground level, foundation or plinth height, flood-related elevation, required freeboard and total height above ground.	Detailed infrastructure levels will be developed within the design parameters secured through the DCO. The flood risk assessment has assessed the maximum design envelope, including the potential requirement for localised elevation, where appropriate. Further information on the required freeboard, indicative levels and flood resilience measures are outlined within the FRA [REP2-079] and Figure 15.28 .
R-048-55	REP1-048	Flood risk and drainage	Can the Applicant confirm that the total height of all panels and equipment, including foundations, plinths and flood-related elevation, will remain within the stated 4.5-metre maximum?	The Applicant can confirm that all panels and associated infrastructure, including any required flood-related elevation, have been assessed to remain within the maximum development heights secured by the Design Parameters and Commitments document [REP2-021] . As set out in the FRA [REP2-079] , Solar Development Sites 2 to 4 and 6 to 8 remain free from flooding during the design flood event. At Solar Development Site 1, panels within the design flood

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				extent would either be raised above the modelled flood level with the appropriate freeboard or layouts refined to avoid flood-affected areas. The maximum development heights are reported in Chapter 4 and secured by the Design Parameters.
R-048-56	REP1-048	Flood risk and drainage	How have changes to floodplain roughness, conveyance, flow paths, velocities, debris trapping and upstream and downstream flood risk been assessed across the full DCO design envelope?	The Applicant has considered the potential effects of the Proposed Development on floodplain storage, flow conveyance, flow routes, flood velocities and debris loading within the FRA [REP2-079] and the Solar Development Site and cable corridor specific annexes therein. Following consultation with the Environment Agency, flood velocities were reviewed using the hydraulic model outputs and, given the generally low velocities across the proposed solar development areas, a detailed roughness sensitivity test was not considered necessary. Instead, the FRA [REP2-079] includes a volumetric assessment of potential floodplain storage displacement together with consideration of flood flow conveyance, debris loading and the location of infrastructure relative to watercourses and identified flood flow paths. This approach was developed through consultation with and agreed by the EA, which will be recorded on the Statement of Common Ground with the EA to be submitted at Deadline 3. The assessment concludes that any effects would be negligible and that the Proposed

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				Development would not materially impede flood flows or increase flood risk elsewhere. In addition, the FRA [REP2-079] and relevant management plans incorporate embedded mitigation measures, including the use of mesh fencing designs, the avoidance of key flood flow routes where practical, and provision for post-flood inspections and maintenance, including the removal of any debris accumulation, to ensure the continued operation of the Proposed Development and avoidance of adverse effects in the floodplain.
R-048-57	REP1-048	Flood risk and drainage	How has the potential interaction between main-river flooding and the local Internal Drainage Board network been assessed?	Whilst the FRA [REP2-079] acknowledges that the interaction between flooding from smaller watercourses and main rivers has not been explicitly modelled, the modelling approach adopted by the Applicant is proportionate and was developed in consultation with the EA. For Solar Development Sites 1 and 2, direct rainfall-runoff models were developed to understand the flood risk from local watercourses and the outputs of these models are shown on ES Volume 2, Figures 15.23: Direct Rainfall Model Solar Development Site 1 (1% AEP plus Climate Change) [REP2-065] and 15.26: Direct Rainfall Model Solar Development Site 2 (0.1% AEP plus Climate Change) [REP2-068]. Interactions between these tributaries and the River Ouse and River Aire systems are not fully captured

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				and the FRA recognises that model calibration is inherently limited for smaller, ungauged catchments. Nevertheless, the assessment concludes that localised flooding associated with minor watercourses is generally shallow, correlates well with the NaFRA2 Risk of Flooding from Surface Water mapping (shown on Figure 15.9 [REP2-054] and reviewed in the FRA [REP2-079]) and is unlikely to exceed the fluvial flood risk already identified by the strategic river models. On this basis, the FRA considers the overall assessment to be robust and precautionary, with no significant overland flow pathways identified and localised risks capable of being managed through the 10m watercourse buffers and infrastructure siting principles adopted by The Applicant. Furthermore, surface water flood risk will be managed through detailed design and the implementation of the measures outlined within the Outline Drainage Strategy (ODS) [REP2-085] and oCEMP [REP2-089] .
Water supply and BESS firefighting				
R-048-58	REP1-048	Water supply and BESS firefighting	Please provide a site-by-site assessment of water-supply capacity, rather than relying only on an overall network-level conclusion.	The Water Resource Assessment (WRA) [APP-204] was prepared in response to the Pre-application Consultation response from the Environment Agency which identified water scarcity issues and water supply issues. This sets out the water demand for construction and operation. These estimates have been precautionarily estimated based on the

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				scheme understanding presently and will be refined as the design progresses and more detailed information becomes available. The updated WRA document submitted at Deadline 2 [REP2-107] includes information on potential connection points to the Yorkshire Water mains network. The crucial point, however, is that there is clearly sufficient options for the water supply for the Proposed Development as a whole and therefore a site-by-site assessment is not required. Firefighting water requirements are discussed in R-048-59.
R-048-59	REP1-048	Water supply and BESS firefighting	For each BESS compound, what firefighting-water flow rate, volume and duration would be required for the maximum credible incident involving the selected technology?	As now mandated under NFPA 855 (2026) the Applicant will only be able to select a BESS system that has undertaken Large Scale Fire Testing (LSFT). At the detailed design stage, the selected BESS LSFT data will be leveraged to fully inform inputs for risk assessment tools which will be utilised together with detailed consequence modelling to provide a comprehensive site operations and emergency response safety audit, this is stipulated in the outline Battery Safety Management Plan (oBSMP) [REP2-097] pre-construction requirements (Section 5). Sections 5.1.3, 5.1.4 and 5.1.5 of the oBSMP mandate the key risk analysis reports (FMEA, LOPA, HMA, HAZID,

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				HAZOP) which consider how to prevent and mitigate a multi-BESS failure incident. These reports must be provided at the detailed design stage and are BESS system and site layout specific. These types of risk analysis provide confidence to demonstrate that under day-to-day operation there is a low risk of a BESS failure incident, and in the event of an incident the credible hazards are understood and have been evaluated both at the illustrative and detailed design stages to demonstrate that the risk to site operatives, first responders, and the local population remains very low. LSFT involves deliberately burning a complete BESS enclosure to evaluate thermal exposure, heat release rates, burn duration, maximum temperatures and, critically, the potential for fire propagation to adjacent BESS or associated equipment. The purpose of this testing is expressly to validate minimum equipment spacing and to demonstrate that cascading or multi BESS enclosure ignition does not occur where tested layouts and mitigation measures are implemented. These tests therefore explicitly address the type of multi BESS fire propagation risks, including scenarios observed in real world incidents, by requiring evidence that propagation risk is controlled through design rather than reliance on emergency intervention.

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				Because the illustrative current BESS design utilised for oBSMP drafting and fire emission modelling demonstrated that a fire did not propagate during Large Scale Fire Testing (LSFT) the Applicant has demonstrated that the loss of a single BESS enclosure is a credible worst-case event for the safety and risk assessment documentation submitted for the DCO. Illustrative site design allows a separation distance of 2.5 m between BESS blocks and 3.5 m to ESS equipment, and 2.5 m between adjacent and back-to-back BESS enclosures. Section 3.1.22 of the oBSMP [REP2-097] stipulates that: <i>"LSFT of the selected BESS design to establish minimum equipment spacing distances and site-specific consequence modelling will provide a clear, evidence-based case for the final BESS Compound installation plans at the detailed design phase and will be agreed with NYFRS. An independent Fire Protection Engineer specialising in BESS will validate all UL 9540A, LSFT, and / or third-party test data and site-specific consequence modelling data which has been provided."</i> NFCC, NFPA, FSRI (Fire Safety Research Institute) guidance advises that hose streams should not be directly discharged on BESS battery systems. Claims that millions of litres of water are required to tackle a single BESS fire (as

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				regularly referenced on internet forums) are incorrect, this type of assumption is based upon a two ground monitor units being deployed each discharging 1900 litres per minute for 24 hours, i.e. 5,472,000 litres of water directly on battery systems within a BESS enclosure. This tactic is not necessary and could create environmental pollution risks and significantly prolong any BESS fire event. If firefighters are applying water fog or spray patterns to adjacent BESS enclosures or deploying defensive spray plates that form a water curtain between the affected enclosure and adjacent BESS these "boundary cooling" tactics would likely be applied intermittently in 15-minute application periods with internal and external BESS temperature changes measured between application periods. The peak fire load for most current BESS designs when at 100% State of Charge (SOC) lasts for 1-3 hours and the rest of the fire involving the battery systems, another 4-8 hours, would be at a lower intensity which reduces the impact of the fire. The maximum Peak Heat Release Rate (PHRR) occurs when propagation rate of battery cells is at peak level and decays to a smaller steady fire that is burning through fewer battery cells / modules and BESS system combustible

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				materials and emitting significantly lower levels of flame and heat flux. Firefighter interventions in credible BESS failure scenarios would be limited to boundary cooling during a short-term peak fire load period. Because of the high levels of BESS internal thermal insulation which can maintain elevated temperatures for a significant timeframe, smouldering of other combustibles can continue long after the batteries have burnt out. This process does not pose any fire propagation risk or result in fire emissions that will have any off-site receptor impact. Section 4.3.1 of the oBSMP [REP2-097] stipulates that the BESS area will contain 456,000 litres of water which is more than 2.5 times the volume recommended by NFCC guidance. Current NFCC guidance (2026) recommends a discharge flow rate of 1500 litres per minute which would provide 5 hours water supply. Firefighting water will be stored in water tanks and will not be impacted by local drought conditions, which lead to water shortages. Section 4.3.1 - 6) of the oBSMP [REP2-097] also stipulates: <i>"A BESS design which may require direct NYFRS firefighting engagement tactics will not be selected for this facility"</i>.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Final comprehensive risk assessment reports, BESS design and site-specific consequence modelling, and detailed Emergency Response Plans (ERPs) can only be drafted when based upon the specific BESS design selected at the detailed design stage. Key safety content requires that all equipment within the BESS area is defined, battery system operating limits and test data are fully defined, and the BESS failure protection system is defined. Incident response tactics require significant test data and rigorous consequence modelling from the specific BESS design to develop safe protocols for incident response i.e. incident communication requirements and responsibilities, operational controls, etc. Section 4.3.1 – 1) of the oBSMP [REP2-097] confirms that: <i>“The firefighting water requirement will be fully assessed at the detailed design stage based upon analysis of LSFT of the BESS design plus any additional fire and explosion test data provided by an independent Fire Protection Engineer, water storage volumes will be fully agreed with NYFRS.”</i> Section 4.3.1 - 8) of the oBSMP [REP2-097] stipulates: <i>“If an internal BESS water based fixed suppression system (automatic or dry pipe) is integrated in the BESS enclosures a separate water supply and primary water containment system will be integrated, water runoff is likely to contain</i>

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				<i>higher levels of pollutants compared to water used for external boundary cooling of BESS and ESS equipment. All process water used in the system shall be prevented from contaminating potable water sources in accordance with local regulations, through the use of check valves or other means as part of the system design. Pollution analysis will be conducted before removing and treating offsite."</i> Sections 4.5.5 – 4.5.12 of the oBSMP [REP2-097] covers BESS drainage system requirements for pollution control these must be fully agreed with the Environment Agency who is a Statutory Consultee for the Proposed Development. The implementation of the oBSMP is secured through a Requirement in Schedule 2 of the Draft DCO [REP2-004]. This will stipulate that a Detailed BSMP will be submitted to and approved in consultation with NYFRS, the Environment Agency (EA), by North Yorkshire Council prior to the commencement of the works for the BESS. The Detailed BSMP will be substantially in accordance with this oBSMP [REP2-097]. Finally, it is noted that the updated WRA submitted at Deadline 2 [REP2-107] incorporates the water demand for firefighting purposes and demonstrates (given the context

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				set above), that there would be no issue in terms of supply for these purposes.
R-048-60	REP1-048	Water supply and BESS firefighting	What is the maximum credible volume of contaminated firefighting water, and what on-site containment capacity will be provided?	As a minimum, the containment system(s) are required to provide sufficient storage for four hours of boundary-cooling water usage in addition to runoff from the 1 in 100-year plus climate change rainfall event, to account for a reasonable worst-case scenario of a fire occurring concurrently with a rainfall event. The final containment volume will be agreed with North Yorkshire Fire and Rescue Service during subsequent design stages. This is reflected within the Outline Drainage Strategy (ODS) [REP2-085] .
R-048-61	REP1-048	Water supply and BESS firefighting	How will drainage be isolated during an incident to prevent contaminated water reaching watercourses, drains, groundwater or neighbouring land?	The Applicant has presented details relating to the management of firewater runoff within Section 5.4 of the Outline Drainage Strategy (ODS) [REP2-085] . Measures to prevent pollution of surface and groundwaters include firewater containment systems that are isolated from the wider drainage network. The external drainage system will incorporate an impermeably lined secondary containment system fitted with automated shut-off valve linked to the BESS fire alarm and a manual back-up system for redundancy, preventing potentially contaminated runoff from leaving the BESS Compound in the event of an incident. Following an incident, any contained water will be sampled and tested by a suitably competent person using accredited

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				methods. Contaminated water will be retained and removed by a licensed tanker for treatment or disposal off-site, and the drainage system will not be reopened until any necessary cleaning has been completed. Only water confirmed as uncontaminated and safe for release will be discharged in a controlled manner. These measures are reflected in the outline Operational Environmental Management Plan (oOEMP) [REP2-091] .
R-048-62	REP1-048	Water supply and BESS firefighting	What arrangements will apply to the testing, removal, treatment and safe disposal of contaminated water after an incident?	The Applicant has been in discussion with the Environment Agency (EA) who are a statutory consultee to agree BESS firefighting water capture and post incident pollution control requirements for the proposed development. A revised outline Battery Safety Management Plan (oBSMP) [REP2-097] was submitted and Sections 4.5.5 – 4.5.11 contain all relevant details agreed with the EA. Section 4.5.10 stipulates testing requirements: <i>“Following a fire event, when safe to do so, samples of the contained firewater runoff will be taken by a suitably competent person and submitted to a UKAS accredited laboratory for analysis using UKAS and MCERTS accredited methods, where applicable. The samples will be analysed to determine the presence and concentration of contaminants and checked against the hazardous substances listed in the ‘surface water pollution risk assessment for your environmental</i>

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				<i>permit' guidance. The contained runoff will not be removed or discharged until the results have been reviewed and the appropriate disposal route is confirmed. In the event of contamination, the drainage isolation device will not be reopened until appropriate cleaning of the drainage system has been undertaken."</i> Section 4.5.11 confirms agreed polluted water protocols: "<i>If contaminated (polluted), the water will be removed from site by licensed tankers for treatment at an appropriately licensed offsite facility. As the discharge of contaminated firewater to the environment is not permitted without an Environmental Permit, only water confirmed as uncontaminated and safe for release would be discharged in a controlled manner to the local drainage network in consultation with the relevant regulators. This approach ensures that environmental protection is maintained under both normal and emergency conditions."</i>
R-048-63	REP1-048	Water supply and BESS firefighting	If the final BESS technology is selected after consent, what process will ensure that fire-water demand, containment capacity and environmental risks are reassessed before installation?	As now mandated under NFPA 855 (2026) the Applicant will only be able to select a BESS system that has undertaken LSFT. At the detailed design stage, the selected BESS LSFT data will be leveraged to fully inform inputs for risk assessment tools which will be utilised together with detailed consequence modelling to provide a comprehensive site operations and emergency response safety audit, this is

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				stipulated in the oBSMP [REP2-097] pre-construction requirements (Section 5). This will be developed and agreed with NYFRS. Section 5.1.7 of the oBSMP also confirms: <i>"If the BESS system supplied differs from the specification considered for risk assessments and consequence modelling, then a full safety audit will be repeated for the new BESS system specification. These studies will be completed and signed off before construction commences."</i> The implementation of the oBSMP is secured through a Requirement in Schedule 2 of the Draft DCO [REP2-004]. This will stipulate that a Detailed BSMP will be submitted to and approved in consultation with NYFRS, the Environment Agency (EA), by North Yorkshire Council prior to the commencement of the works for the BESS. The Detailed BSMP will be substantially in accordance with this oBSMP [REP2-097].

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Landscape and cumulative character effects				
R-048-64	REP1-048	Landscape and cumulative character effects	Which existing, consented, under-construction and reasonably foreseeable developments have been included in the cumulative landscape and visual assessment?	Paragraphs 10.7.107 of ES Volume 1, Chapter 10: Landscape and Visual [APP-048] explains that two consented solar farms have been incorporated into the future baseline for the LVIA due to their scale and proximity to the Order Limits. These are the Scalm Park Solar and BESS scheme (planning application ZG2024/1129/FULM), located south of Scalm Park and in close proximity to Cable Construction Compound 1, and Hillham Solar Farm (planning application AP/2025/0037/REF), situated adjacent to Solar Development Sites 3 and 4. This is consistent with paragraph 5.33 of the Guidelines for Landscape and Visual Assessment, 3rd Edition (GLVIA3), which states that the aim of the baseline should be <i>“to describe the landscape as it is at the time but also to consider what it may be like in the future in the absence of the proposal. This means projecting forward any trends in change and considering how they may affect the landscape over time, accepting that this involves a degree of speculation and uncertainty.”</i> Section 10.14 of ES Chapter 10 provides a detailed assessment of likely cumulative landscape and visual effects. The projects which have been scoped into the LVIA are set out in Table 10-27. These are projects which are of a similar type to the Proposed Development, consistent with

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				the advice in Section 7 of GLVIA3. The Applicant provided a sensitivity test in The Applicant's Response to North Yorkshire Council's Local Impact Report (Version 1) [REP2-117] (comment reference LIR-NYC-15) should ID67 (Hillam Solar Farm, appeal reference AP/2025/0037/REF) be considered a cumulative development and not part of the future baseline as assessed. This determined that it would be unlikely to change the findings of the assessment.
R-048-65	REP1-048	Landscape and cumulative character effects	Why should the cumulative landscape assessment be confined principally to effects around selected sites if receptors may experience successive views of solar arrays, substations, BESS, tracks, fencing and grid infrastructure across the wider area?	The assessment of likely cumulative landscape and visual effects ES Volume 1, Chapter 10: Landscape and Visual [APP-048] has assumed that all of the cumulative developments scoped into the assessment would be constructed and operational at the same time. This is a worst-case assumption and takes account of the potential for sequential views of the Proposed Development and the cumulative developments in combination, in line with best practice. The assessment concludes that there would be few locations where the Proposed Development and cumulative schemes could be viewed together or sequentially and even where this would be the case, views would be in the context of existing development or substantially screened by existing vegetation or proposed planting.
R-048-66	REP1-048	Landscape and	Will the Applicant provide additional photomontages for the most sensitive	The Applicant has carried a detailed assessment of the likely landscape and visual effects of the Proposed Development.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
		cumulative character effects	homes, settlements and Public Rights of Way showing winter conditions and years 1, 5, 15 and 30?	Visual material such as photomontages is supplementary information and does not form the basis of the assessment of effects alone. The Applicant discussed and agreed the representative viewpoints presented in ES Volume 1, Chapter 10: Landscape and Visual [APP-048] with North Yorkshire Council prior to the application for development consent being submitted. The photomontages presented in ES Volume 3, Appendix 10.4: Photography and Photomontages LR2 [REP2-076] are proportionate to the likely effects and therefore consistent with best practice. The Applicant maintains the position that additional photomontages are not required to support the judgements made in ES Volume 1, Chapter 10, Landscape and Visual [APP-048]. This is in line with the proportionate approach set out in section 1.3 of Landscape Institute Technical Guidance Note 06/19: Visual Representation of Development Proposals. With respect to views from homes, paragraph 4.1.6 of this guidance explains that “<i>consideration of private residential viewpoints is relevant to Residential Visual Amenity Assessment (RVAA) but generally LVIA will use public viewpoint locations (refer to GLVIA3 paras 6.16 - 6.17). See also Residential Visual Amenity Assessment (RVAA) LI TGN 2/19. Viewpoints on private land which is publicly accessible may be relevant, e.g. open gardens, monuments, communal access points, National Trust land</i>

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				<i>etc.</i>" Through the LVIA, the Applicant has determined that the Residential Visual Amenity Threshold has not been breached and therefore further consideration of private residential views is not required. Notwithstanding this position, the Applicant can confirm that winter photomontages for Year 15 will be prepared and submitted at Deadline 3.
R-048-67	REP1-048	Landscape and cumulative character effects	What size and maturity of trees and hedgerows will be planted, and what evidence supports the assumed growth rates, survival rates and date at which effective screening will be achieved?	The outline Landscape and Ecological Management Plan (oLEMP) [REP2-095] sets out the proposed planting specification and replacement requirements across the project's lifetime. Most plants would be planted as nursery transplants, which establish better in the field as they are smaller plants with root systems that establish better when planted. Where larger plants are specified, these are set out in tables 4-2, 4-3, 4-5 and 4-7 of the oLEMP, which provides the proposed sizes for trees in hedgerows, woodland and scrub. The LVIA [APP-048] assumes an average growth rate of 30cm per year for all species. This is a conservative estimate having regard to published growth characteristics of common native species, many of which are capable of higher annual growth rates under favourable conditions. It aligns with experience of other projects implemented under similar growing conditions in the UK. Survival rates will

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				depend on the environment and weather, which cannot be predicted with certainty. Instead, the oLEMP specifies the replacement of failed plants in each of the first five years post-planting to ensure effective establishment. This is an industry standard norm. The LVIA assess residual landscape and visual effects at year 15 of operation, which is common practice. An assessment of effects at interim assessment years in addition to the worst-case assessment of year 1 of operation is not proportionate. However, it could be assumed that planting would reach a height of approximately 1.8m by year 5 of operation and 3.3m by year 10 of operation. This is helpful in illustrating how the proposed planting will become increasingly effective in screening views over time. Additionally, advanced planting as shown on ES Volume 2, Figure 16.1: Advanced Planting for Glint and Glare Mitigation [APP-141] is proposed for the purposes of mitigating glint and glare. The planting would be undertaken early in the construction phase to ensure establishment to mitigate the potential impact of glint and glare by year 1 of operation where that is still determined to arise following re-assessment of the detailed design.
R-048-68	REP1-048	Landscape and	Where reliance is placed on larger or semi-mature planting to address early	The LVIA does not rely on larger planting to address landscape and visual effects, with priority given to using

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
		cumulative character effects	effects, has that planting been designed, costed, funded and secured through the DCO?	planting which is native and would establish with higher rate of success. All planting proposed for the mitigation of landscape and visual effects will be secured through implementation of the measures set out in the oLEMP [REP2-095]. The exact location, species type and height is a matter for the detailed design, post-consent and this will be confirmed in the detailed LEMP. Compliance with the detailed LEMP is a requirement of the DCO and so therefore must be implemented.
R-048-69	REP1-048	Landscape and cumulative character effects	What happens if planting fails, grows more slowly than predicted or does not provide the screening relied upon in the Environmental Statement?	During the establishment period of the first five years following planting, paragraph 4.2.46 of the oLEMP [REP2-095] states “<i>any plants and trees which are found to be dying, damaged or diseased within the establishment period will be replaced with the same species and size, as per the timetable in Appendix A.</i>” After the five-year establishment period, for the first 30 years, paragraph 4.2.47 provides that: “<i>replacement planting may be required for any significant failures, identified through monitoring to ensure the BNG condition criteria for each habitat type is met.</i>” This includes gaps in hedgerows and open areas of woodland.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Beyond that, the detailed LEMP, which would be agreed with North Yorkshire Council will include monitoring and replacement prescriptions for the project's lifetime through to decommissioning.
R-048-70	REP1-048	Landscape and cumulative character effects	For how long will landscape mitigation be monitored, and what replacement or additional planting will be required where visual effects are worse than assessed?	The oLEMP [REP2-095] provides a general establishment and replacement regime. Paragraph 4.2.46 requires replacement with the same species and size within the establishment period of five years following planting. This is the period during which most plants fail. After the five-year establishment period, paragraph 4.2.47 provides that: <i>"replacement planting may be required for any significant failures, identified through monitoring to ensure the BNG condition criteria for each habitat type is met."</i> The BNG condition will be monitored for a minimum of 30 years. beyond this, paragraph 2.2.4 states that <i>"the DCO requires that the created habitats must be managed in line with the detailed LEMP(s) over the lifetime of the Proposed Development, which comprises 60 years."</i> A detailed version of the LEMP will be developed post-consent. This will be required to be in substantial accordance with the oLEMP [REP2-095] and is to be approved by North Yorkshire Council.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Residential amenity and separation distances				
R-048-71	REP1-048	Residential amenity and separation distances	What evidence supports the use of a standard 30-metre separation from residential curtilages for a development of this scale?	Views from residential properties are a matter of private amenity. Regarding the offsets from residential properties, the Applicant's rationale for the minimum 30m offset measured from the curtilage has been defined as part of the landscape-led approach to the design of the Proposed Development. This has considered the generally flat topography and effectiveness of planting close to boundaries in mitigating significant effects, whilst also responding to the presence of receptors and the landscape context. This is demonstrated through the conclusions of the LVIA, with the exception of one residential visual receptor associated with VP11 at Siddle Farm House, where moderate adverse significant effects would persist at year 15 of operation. This must be considered in the context of NPS EN-1 paragraph 5.10.13, which states that "<i>all proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites</i>". Paragraph 5.10.25 of NPS EN-1 invites the Applicant to draw attention to other consented infrastructure projects where similar visual effects have been identified. Consented solar farm NSIPs have taken a range of approaches to residential offsets. For example, West Burton, Tillbridge and Cottam NSIPs have incorporated minimum

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				50m offsets measured from residential properties. These developments are located in similar, largely flat landscapes where the magnitude of impact and sensitivity of receptors is similar. However, it is important to note that these offsets are typically measured from residential properties, whereas the minimum offsets secured in the DCO for the Proposed Development are measured from the curtilage, which is larger. Therefore, in reality these minimum offsets are similar to existing consented solar farm developments in similar contexts. Imposing larger, arbitrary offsets would not be appropriate or necessary and cannot be justified based on the evidence presented. The avoidance of long term significant adverse residual visual effects demonstrates that the design robustly applies 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 which are capable of reducing the majority of residual landscape and visual effects to not significant. A wider offset cannot therefore be justified based on the evidence presented as this would result in a significant operational constraint and reduction in electricity generation output, contrary to paragraph 5.10.26 of NPS EN-1.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-72	REP1-048	Residential amenity and separation distances	Has the worst-case combination of 4.5-metre-high tracking panels and a 30-metre residential separation been assessed together at each affected property?	Yes, the worst-case combination of 4.5-metre-high tracking panels and a 30-metre residential separation been assessed. It should be noted that, whilst the worst-case has been assessed, the time that solar panels would be in the tallest position of up to 4.5m would be short and would be limited to the beginning and the end of each day, with an indication of the durations as follows: • Spring Equinox: Maximum tracker height , 31 minutes am, 31 minutes pm • Summer Solstice: Maximum tracker height , 46 minutes am, 46 minutes pm • Autumn Equinox: Maximum tracker height , 32 minutes am, 32 minutes pm • Winter Solstice: Maximum tracker height , 17 minutes am, 17 minutes pm
R-048-73	REP1-048	Residential amenity and separation distances	Have the effects of nearby inverters, transformers, BESS, access routes, fencing, lighting and construction activity also been considered when determining whether 30 metres is sufficient?	The Applicant has applied an environmentally-led approach to the siting of the Proposed Development and its associated infrastructure, as set out in the Design Approach Document (DAD) [APP-216] (Design Principles 2 as set out in 3.7.17 of the DAD [APP-216]), feedback from the non-statutory consultation held early in the project in winter 2024 led to the establishment of a number of key

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				design parameters and commitments for the design at statutory consultation. This includes: • <i>Locating BESS, substations, including transformers, where possible, at least 300 m from sensitive receptors locations respectively to minimise noise and vibration effects;</i> • <i>Locating other supporting infrastructure with the potential to generate noise at least 100 m from residential properties where possible; and</i> • <i>Locating BESS a minimum of 100 m from residential properties, nursing/care homes and places of worship for fire safety reasons and to minimise potential human health effects from fire-related toxic emissions to air.</i> The Applicant can confirm that these measures are embedded in the design that is secured through the Works Plans [AS-004]. The minimum setbacks from residential properties were informed by the character of the landscape and the effectiveness of mitigation in the generally flat landscape and taking account of the key components of the Proposed Development.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-74	REP1-048	Residential amenity and separation distances	What larger buffers or equipment-exclusion zones were considered, particularly for properties affected by development from more than one direction?	The Design Parameters and Commitments document [REP2-021] confirms that no development will be located within a minimum distance of 30m of the curtilage of a residential property. The Applicant has considered the specific context of each property in developing the design, applying the environmentally-led approach outlined in the Design Approach Document (DAD) [APP-216] . This includes consideration of existing boundaries and screening. The Order limits have been refined or larger buffer zones have been included where greater depths of planting are required for landscape integration or there are other environmental reasons. For example, excluding development to provide habitats, address heritage or to maintain existing land uses.
R-048-75	REP1-048	Residential amenity and separation distances	Has the Applicant undertaken a cumulative residential-amenity assessment of what it would be like to live at the affected properties, combining visual change, noise, construction activity, HGV traffic, lighting, fencing, loss of outlook and the time required for planting to mature?	ES Volume 1, Chapter 17: Cumulative and In-Combination Effects [REP2-047] provides an in-combination effects assessment which identifies and evaluates situations where a single receptor or receptor group may be subject to more than one type of residual effect (e.g. noise, landscape and traffic effects) from the Proposed Development, and to determine whether these effects could interact with each other to result in a more significant effect than those already identified for each receptor or receptor group. Where the criteria for assessment has been met (as set out in that chapter)

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				relevant receptors that are representative of residential receptors (e.g. noise sensitive receptor locations) have been considered in that assessment. The in-combination assessment, presented in Table 17-8 and Table 17-9, concluded that there are no residual effects on receptor groups (including that which would combine to produce a more significant effect than the topic related effects already identified for each receptor group).
R-048-76	REP1-048	Residential amenity and separation distances	Where the Applicant relies on the existing landscape being of "low value", how has the value of an open outlook to the residents who experience it been assessed?	ES Volume 3, Appendix 10.1: Landscape and Visual Assessment Methodology [APP-167] provides detail on the approach that has been applied to determine the value attached to the landscape and people's views of the landscape with reference to published guidance, including the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, and the Landscape Institute Technical Guidance Note 02/21: <i>Assessing landscape value outside national designations</i>. The value attached to the landscape informs the value attached to views, but the latter considers specifically those elements that are visible in views at specific locations alongside other evidence, such as appearance in guide books, art and literature. The assessment of the value attached to views is separate to the assessment that has been carried out of susceptibility to change of the people experiencing the view. Judgements on

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response												
				the value attached to views and the susceptibility to change of visual receptors have been combined to determine their sensitivity.												
Public Rights of Way																
R-048-77	REP1-048	Public Rights of Way	For each affected or diverted Public Right of Way, please compare the existing and proposed route length, gradient, accessibility, views, tranquillity, screening and proximity to infrastructure.	A length comparison is available for the three permanently altered routes (all in Solar Development Site 1) in the oPROWMP [APP-199] . In summary:												
				<table><tr><th>PRoW</th><th>Existing (to be stopped up)</th><th>Proposed re-provision</th></tr><tr><td>Bridleway 35.28/1/1</td><td>~523 m curved alignment around the field re-routed</td><td>Re-routed along south side of field, ~688 m following the route that is used in practice</td></tr><tr><td>Bridleway 35.67/6/1</td><td>~227 m section crossing the field replaced</td><td>Parallel diversion to north-west, matching existing length following the route that is used in practice</td></tr><tr><td>Footpath 35.28/3/1</td><td>~900 m length not connecting to</td><td>New ~800 m footpath</td></tr></table>	PRoW	Existing (to be stopped up)	Proposed re-provision	Bridleway 35.28/1/1	~523 m curved alignment around the field re-routed	Re-routed along south side of field, ~688 m following the route that is used in practice	Bridleway 35.67/6/1	~227 m section crossing the field replaced	Parallel diversion to north-west, matching existing length following the route that is used in practice	Footpath 35.28/3/1	~900 m length not connecting to	New ~800 m footpath
				PRoW	Existing (to be stopped up)	Proposed re-provision										
				Bridleway 35.28/1/1	~523 m curved alignment around the field re-routed	Re-routed along south side of field, ~688 m following the route that is used in practice										
Bridleway 35.67/6/1	~227 m section crossing the field replaced	Parallel diversion to north-west, matching existing length following the route that is used in practice														
Footpath 35.28/3/1	~900 m length not connecting to	New ~800 m footpath														

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response		
					another PRow stopped up	connecting to bridleway 35.67/6/1
				The alternatives were considered through site visits, in 2 cases using established alternatives which are already in use, and have all been agreed with North Yorkshire Council. Whilst the Applicant has not specifically assessed accessibility/gradients, the key point is that the permanently divided routes are local diversions from one part of a field to another and are not, for example, diverting onto roads. <i>Proximity to infrastructure:</i> a minimum 15 m buffer either side of every PRow to all infrastructure (including fencing) has been committed to, so retained and diverted routes sit within an open corridor. <i>Screening:</i> Presence of retained/reinforcement of hedgerows and native planting (secured via the oLEMP [REP2-095]). An assessment of the visual impacts experienced by users of PRow as a result of the Proposed Development are covered within ES Volume 1, Chapter 10: Landscape and Visual [APP-048].		

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-78	REP1-048	Public Rights of Way	What measurable criteria have been used to conclude that each altered or diverted route would provide an equivalent or better recreational experience?	The relevant tests are those set by the EIA Regulations and national policy — not a comparative "equivalent or better" standard, which is not a requirement of either. NPS EN-1 5.13 requires assessment of effects (positive and negative) on users of the area, with 4.1.5–4.1.7 governing how adverse impacts and benefits are weighed. The scheme was designed with the project design principles: a minimum 15m offset to PRow, and to <i>"seek opportunities to enhance PRow including exploring options for permissive paths to create longer, circular walks."</i> That is what will be delivered through the scheme if approved. ES Volume 1, Chapter 13: Socioeconomics [REP2-039] concludes a residual minor adverse (not significant) effect on PRowS, reached through professional judgement using the sensitivity/magnitude matrix. The ES and oPROWMP [APP-199] identify: • Condition surveys will confirm that reinstated/diverted routes "meet or exceed previous standards", with surface finishes and signage agreed with the LPA before installation (secured via the LEMP). • Route lengths are broadly maintained (e.g. 35.67/6/1 matches existing length; 35.28/3/1 diverted 900 m → 800 m but as it now links to a bridleway equivalent or longer length will be available).

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				- New non-vehicular permissive paths are committed to be open, up to 364 days per year, throughout the 60-year operational life, maintained under the detailed PROWMP. - Stakeholder engagement has informed design, with diverted alignments seeking to reflect the preferred alignment of current users.
R-048-79	REP1-048	Public Rights of Way	Has the Applicant assessed the cumulative experience of users who may encounter several parts of Light Valley Solar, or several solar developments, during one journey?	ES Volume 1, Chapter 13: Socioeconomics [REP2-039] contains a cumulative assessment (Section 13.14) and considers in-combination effects with landscape/visual and noise topics. A large shortlist of cumulative schemes (including numerous nearby solar farms) is tabulated. In this locality there is an abundance of PRow such that there are variety of route options available and although users may experience some intermittent or transient effects along small parts of their route, it is unlikely to affect the majority of their walking journey. Consideration has been given to the sequential approach to PRow to assess the potential impacts for a user along the length of a given route. The Landscape and Visual assessment, in relation to PRow assesses viewpoints along a PRow as sequential, with the description of the baseline and effects generally not following a static view, but

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				a series of views as one moves along the PRow. It is not possible, or proportionate, to assess all the different permutations or combinations of route options as this will vary significantly from person to person.
R-048-80	REP1-048	Public Rights of Way	Will user numbers and route experience be monitored after construction?	ES Volume 1, Chapter 13: Socioeconomics [REP2-039], Section 13.12 (Monitoring) states in full: <i>"No further monitoring is required"</i>. Condition surveys will check reinstatement standards as is standard practice. The oLEMP [REP2-095] and oPROWMP [APP-199] provide for on-going monitoring and management of the paths during operation (including during replacement activities). However, no commitment is made to monitor the 'experience' of public rights of way users once operations commence.
R-048-81	REP1-048	Public Rights of Way	What corrective measures will be available if monitoring demonstrates reduced use, accessibility, tranquillity or recreational quality?	In line with best practice, the available remedies are preventative/standards-based rather than responsive to a measured decline in PRow surfacing: - Any damage to a PRow surface will be repaired and returned to its original condition following construction/maintenance. - Condition surveys confirm diverted/reinstated routes meet or exceed previous standards, with surfacing/signage agreed with the LPA.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				The detailed PRowMP and LEMP (secured by DCO Requirement) govern surfacing, maintenance and signage, to be agreed with North Yorkshire Council. However, no monitoring of use, accessibility, tranquillity or recreational quality is considered necessary following the results of the ES, therefore there is no monitoring-triggered corrective or adaptive-management mechanism required.
R-048-82	REP1-048	Public Rights of Way	Why does it still show a public footpath off Common Lane when it was stopped up in November 2025?	The PRow baseline is drawn from North Yorkshire Council's Definitive Map and engagement at the time of assessment and finalisation of the application documents. The footpaths associated with Common Lane in the ES are 35.59/5/1 (Common Lane to industrial site) and 35.59/6/1 (Turpin Lane), plus proposed permissive paths connecting Turpin Lane/Common Lane. These are shown as retained (temporary construction management only), not stopped up, and therefore is only contextual information. As detailed in the ES Volume 3, Appendix 13.1: Socioeconomic Receptors Impact Assessment [APP-177] and the outline Public Rights of Way Management Plan (oPROWMP) [APP-199], the impact on these Public Rights of Way are not considered to be significant.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Biodiversity and ecological connectivity				
R-048-83	REP1-048	Biodiversity and ecological connectivity	How has the Applicant demonstrated that retained hedgerows, ditches, ponds, woodland edges and field margins will remain ecologically functional during construction, rather than merely remaining physically present?	The outline Construction Environmental Management Plan (oCEMP) [REP2-089] details buffers, licensing or stop-work controls, to protect fauna and flora during the construction phase. The detailed CEMP(s) will outline measures and approaches to be adopted which will limit the likelihood of impacts upon retained habitats through damage, pollution and disturbance during the construction phase in order to ensure habitats will remain ecologically functional during construction. Designated buffer zones during construction, as outlined in the Tree Protection Plan within ES Volume 3, Appendix 16.2: Arboricultural Impact Assessment [APP-184] include: ○ A minimum 15 m buffer or the Root Protection Area (RPA), whichever is larger, will be provided to all ancient woodland. The only location where such a buffer may be breached is where the Cable Route Corridor passes Common Wood SINC to enable Cable Route Corridor construction traffic to utilise an

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				existing culvert to cross an associated ditch in this location. ○ A buffer of 15 times the stem diameter, as measured at 1.5 m, will be put in place around ancient / veteran trees. ○ A minimum 10 m buffer or the RPA, whichever is larger, will be provided to non-ancient woodland (identified from the National Forestry Inventory and surveys) and a minimum 5 m buffer, or the RPA will be provided where practicable for all non-ancient / non-veteran trees. ○ A minimum offset of 10 m from bank top for all watercourses from all construction works (50 m for Canal and River Trust watercourses, e.g. River Ouse), except where watercourse crossings are required (access tracks / cable routing /fencing will be located to pass across existing watercourse crossings where feasible). Temporary and permanent fencing of ecological buffer zones will be adopted to prevent accidental encroachment and ensure undisturbed conditions around retained habitats

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				are provided, including nesting and foraging areas for protected and priority bird species.
R-048-84	REP1-048	Biodiversity and ecological connectivity	How will species movement be maintained where construction compounds, trenching, access routes, traffic, fencing, lighting and noise affect existing ecological corridors?	The outline Construction Environmental Management Plan (oCEMP) [REP2-089] details buffers to be provided to protect fauna and flora during the construction and to enable movement throughout the process. This includes construction fencing that is designed to let small mammals to pass through. Measures are also included for amphibians including supervision and protective measures affecting potentially suitable habitat at field boundaries. The outline Construction Environmental Management Plan (oCEMP) [REP2-089] also provides detail on the lighting strategy and noise mitigation that are proposed, which will also ensure species movement is maintained throughout construction. Lighting will be required during construction for safety reasons but will be temporary in nature and predominantly limited to the core working hours, save for HDD works, emergency works or any works outside those hours approved by the local planning authority. Specific measures such as lighting type and locations, will also prevent impacts to retained habitats, further minimising any affects.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Best Practicable Means (BPM) will be applied during construction works to minimise noise and vibration at Noise Sensitive Receptors (NSRs), in combination with the buffers proposed. As set out in the assessment within ES Volume 1, Chapter 11: Noise and Vibration [APP-049] there will be no significant adverse effects from construction noise and vibration on ecological receptors, following the application of best practicable measures mitigation approaches. Chapters 6 and 12 detail mitigation measures to reduce the impacts of construction traffic on wildlife, including timing noise and vibrations sensitive activities to avoid sensitive ornithological periods where practicable. As set out in the oCEMP [REP2-089] a 15mph speed limit will be applied for surface tracks and a 10mph speed limit for unsurfaced tracks across the construction sites to reduce the impact of construction traffic on wildlife. These will be secured through the implementation of a Construction Environmental Management Plan as detailed in the outline Construction Environmental Management Plan (oCEMP) [REP2-089]. A detailed Construction Environmental Management Plan will also be in place which will ensure wildlife will

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				be considered during the construction phase of the proposed development and methods utilised to avoid harm.
R-048-85	REP1-048	Biodiversity and ecological connectivity	What monitoring will be undertaken to establish whether bats, amphibians, hedgehogs, badgers and other species continue to use retained movement corridors?	The outline Construction Environmental Management Plan (oCEMP) [REP2-089] provides detail on monitoring that will be undertaken to inform any mitigation that may be required. This will include a pre-condition site walkover will be undertaken in advance of mobilisation/any potential advance works (at least three months prior to start of works) to reconfirm the ecological baseline conditions and to identify any new ecological risks, such as newly constructed badger sets and / or new otter resting places / holts. Updated species surveys, including bats, otter, water vole, brown hare and badger, would be completed as appropriate to reconfirm the status of protected species identified, to inform mitigation requirements and support protected species licence applications, if required, and the requirement for any Ecological Clerk of Works (ECoW) supervision during the construction phase. Such surveys would be undertaken sufficiently in advance of construction works to account for seasonality constraints and to allow time for the implementation of any necessary mitigation, prior to construction. Additional surveys may be

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				required during construction as advised by the Applicant's ECoW, based on the findings of the updated walkover and protected species surveys, or otherwise as identified as appropriate by the Applicant or their appointed Contractor(s). Furthermore, the appointed ECoW will complete regular checks throughout construction ensuring all buffers and fencing are in place and the appropriate lighting and noise mitigation measures are being adhered to. As noted above fencing will be subject to regular inspection and maintenance to ensure continued permeability to wildlife and effective functioning over the lifetime of the Proposed Development. Measures for ongoing ecological monitoring, management and maintenance are set out in the oCEMP [REP2-089] and oLEMP [REP2-095]. The preparation, approval and implementation of the detailed Landscape and Ecological Management Plan, substantially in accordance with the oLEMP [REP2-095], is secured via the draft Development Consent Order (DCO) [REP2-004], ensuring that fencing design, habitat management and maintenance measures are delivered and maintained throughout the lifetime of the Proposed Development.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-86	REP1-048	Biodiversity and ecological connectivity	What measurable ecological indicators and intervention thresholds will apply if monitoring identifies fragmentation or reduced use of retained corridors?	A comprehensive package of habitat retention, creation, enhancement and long-term management measures is proposed to avoid, reduce and mitigate impacts and to deliver Biodiversity Net Gain. These include the protection of existing habitats, creation of new habitats, and long term ecological management to improve habitat quality over the lifetime of the Proposed Development. With these measures in place, as detailed in Chapter 6, the Proposed Development is anticipated to provide a neutral to minor beneficial impact to a variety of fauna. The oLEMP [REP2-095] includes provisions for habitat establishment, maintenance and ecological monitoring to confirm that mitigation and enhancement measures are functioning as intended and to identify and implement remedial measures where required. The preparation, approval and implementation of a detailed Landscape and Ecological Management Plan and BNG Strategy, substantially in accordance with the oLEMP [REP2-095] is secured through the Draft DCO [REP2-004], ensuring that ecological mitigation and enhancement measures (including BNG) are delivered, monitored and maintained throughout the lifetime of the Proposed Development including remedial measures where necessary. In approving the detailed

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				LEMP, the LPA, if it deems it necessary, be able to include relevant trigger points for interventions where necessary. The oCEMP [REP2-089] and oLEMP [REP2-095] detail any required buffers, licensing or stop-work controls, to protect fauna and flora during the construction and operation phase.
R-048-87	REP1-048	Biodiversity and ecological connectivity	How will the practical effectiveness of wildlife-permeable fencing, crossing points and habitat connections be verified?	As noted above, fencing will be subject to regular inspection and maintenance to ensure continued permeability to wildlife and effective functioning over the lifetime of the Proposed Development. Measures for ongoing ecological management and maintenance are set out in the oLEMP [REP2-095]. The oLEMP [REP2-095] includes provisions for habitat establishment, maintenance and ecological monitoring to confirm that mitigation and enhancement measures are functioning as intended and to identify and implement remedial measures where required, as per BNG and protected species and habitats best practice guidance.
R-048-88	REP1-048	Biodiversity and ecological connectivity	How frequently will BNG and habitat-condition targets be reviewed over the 60-year operational period, and what corrective measures will apply where habitats fall below target?	As noted in the Biodiversity Net Gain (BNG) Report [APP-220] to deliver the BNG as set out in the report, habitats within the Solar Development Sites will be managed and maintained for the operational lifetime of the Proposed Development (over 30 years), pursuant to the oLEMP [REP2-095] The management will be adapted based on

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				monitoring results to ensure the best desired outcomes are achieved. The oLEMP [REP2-095] sets out planning, management and monitoring prescriptions to be followed by, or on behalf of, the Applicant. This includes details of operational ecological monitoring and reporting, governance over the operational lifetime, and processes for addressing unforeseen ecological effects or conflicts with BNG objectives. The detailed version of the LEMP, to be in substantial accordance with the outline, will set out further details for essential monitoring of the Proposed Solar Development Sites habitat, and is to be approved by North Yorkshire Council pursuant to a Requirement in the Draft DCO. A combined assessment of habitat condition, management outcomes and species monitoring will be used to determine whether the relevant habitat/species objectives are being achieved and whether adaptive management is required. Where required appropriate remedial measures will be implemented as detailed in the oLEMP [REP2-095]. Based on a standardised approach, replacement planting may be required for any significant failures, identified through monitoring to ensure the BNG condition criteria for each habitat type is met.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				As detailed in the oLEMP [REP2-095] , it is suggested that BNG monitoring is undertaken on year 1, 2, 3, 5, then every five years until year 30. The requirements for monitoring under Biodiversity Net Gain will be fully detailed in the BNG strategy to be prepared alongside the detailed LEMP.
R-048-89	REP1-048	Biodiversity and ecological connectivity	What evidence demonstrates that the proposed grassland, hedgerows and woodland will establish and persist under projected drought, temperature and other climate conditions?	Changes in climatic conditions, including rising temperatures and summer droughts have been considered with regard to planting in the oELMP [REP2-095]. The oLEMP includes measures for the establishment of vegetation, including watering and optimal planting seasons. Once planting is established, vegetation is expected to become self-sustaining and routine watering will cease. The Plan also anticipates the potential for water-use restrictions during drought events and requires alternative water sources to be identified and agreed with the relevant authority if restrictions affect water availability. During monitoring of the habitats, adaptive management triggers and remedial measures will be used to ensure that the target condition of the habitat is achieved, responding to the prevailing climatic conditions. Where thresholds are exceeded or conditions are not achieved, the Plan requires remedial actions.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
Glint, glare and aviation				
R-048-90	REP1-048	Glint, glare and aviation	Has the glint-and-glare assessment considered the maximum permitted panel height and the worst-case use and orientation of tracking panels?	Yes. ES Volume 3, Appendix 16.4: Glint and Glare Assessment [APP-186] has utilised reasonable worst-case assumptions including the use of maximum PV heights for visibility analysis, based on what is secured in the Design Parameters and Commitments Document, and the use of instant backtracking for tracking panels (whereby a panel would return to flat as soon as the Sun passes outside of the tracking range). These assumptions are held to provide a reasonable worst-case for impacts.
R-048-91	REP1-048	Glint, glare and aviation	Have effects been assessed during the early operational years and in winter, before mitigation planting provides effective screening?	Yes, ES Volume 3, Appendix 16.4: Glint and Glare Assessment [APP-186] identifies within the impact classification tables in Section 6, where impacts are predicted to occur until mitigation planting matures. Where glare is predicted during winter, consideration is made of what screening would be present. Although less opaque in winter, vegetation often continues to provide screening through leaf drop. It is not necessary for vegetation to completely block any views of the reflecting panels to be considered significant screening, and breaking up a reflection such that it is not a sustained source of glare can be considered sufficient.

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
R-048-92	REP1-048	Glint, glare and aviation	Please identify the property-specific, Public Right of Way and aviation receptors assessed, including the duration and timing of any predicted effects.	All receptors are identified within Section 4 of ES Volume 3, Appendix 16.4: Glint and Glare Assessment [APP-186] , and relevant impact classifications are provided in Section 6. The Applicant does not intend to submit full modelling data for all receptors, as this is not considered necessary or proportionate, given the results of the assessment.
R-048-93	REP1-048	Glint, glare and aviation	What consultation has taken place with Sherburn Aero Club, the relevant airfield operator and aviation-safeguarding bodies?	Sherburn Aero Club, the operator of Sherburn Aerodrome, responded to the Applicant's initial invitation to public consultation on 5-11-24. The Applicant's aviation consultant contacted the Aero Club with further details of the scheme on 10-9-25 and received a response on 11-9-25. Following further modelling, further information was passed to the Aero Club on 23-4-26 including information on registering to make submissions. A further email was sent to the Aero Club on 23-7-26 advising of upcoming hearings and requesting a meeting. This occurred on 28-7-26. Further consultations by email took place on 3 and 5-8-26. The CAA was consulted pursuant to the Applicant's statutory duties, and no concerns were raised by them.
R-048-94	REP1-048	Glint, glare and aviation	What technical assessment informed the location and design of any emergency landing area, and what alternative locations were considered?	The location and design of the emergency landing area was informed by CAA and Combined Aerodrome Safeguarding Team (CAST) guidance on appropriate obstacle-free areas for Engine Failure After Take-off (EFATO), taking into account the location of Site 6 directly under the climb-out

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				path from runway 19 at Sherburn Aerodrome. Consideration of alternative locations is not appropriate since the obstacle-free areas should be directly under or within +/- 30 degrees of the climbout path.
R-048-95	REP1-048	Glint, glare and aviation	What monitoring and corrective measures would apply if operational glint or glare is more extensive or prolonged than predicted?	The Applicant does not propose any monitoring measures for glint and glare. ES Volume 3, Appendix 16.4: Glint and Glare Assessment [APP-186] incorporates a number of conservative assumptions which limit the risk of unpredicted effects. Glint and glare modelling is highly dependable as it relies primarily on the movement of the Sun (which is regular and predictable) and the installed tilt, azimuth and height of the PV panels. As long as the PV arrays are installed in line with the assessed information (as they will be pursuant to the Design Parameters and Commitment document), there is a very low potential for unpredicted impacts. In any event, the Applicant has also set out that it will undertake a re-assessment of the detailed design to confirm whether advanced planting is still required.

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Wider cumulative and inter-project effects				
R-048-96	REP1-048	Wider cumulative and inter-project effects	Please identify every existing, consented, under-construction and reasonably foreseeable project included in the cumulative assessment.	ES Volume 1, Chapter 17: Cumulative and In-Combinations Effects [REP2-047] and ES Volume 3, Appendix 17.1: Long list of Developments to Inform Cumulative Assessment [APP-189] clearly list out all developments that formed the starting point of the cumulative assessment. The approach aligns with PINS advice. Chapter 17 goes on to explain how this was developed into a short list of projects.
R-048-97	REP1-048	Wider cumulative and inter-project effects	How have combined construction phasing, HGV traffic, abnormal loads, drainage, Public Rights of Way disruption, landscape change, ecological connectivity, grid infrastructure and mitigation delivery been assessed?	Within the ES, each technical topic has assessed the potential for cumulative effects with other schemes within the cumulative assessment search radius, taking account of the available information for each project. ES Volume 1, Chapter 17: Cumulative and In-Combination Effects [REP2-047] provides an assessment of the combined effect of individual impacts from the Proposed Development, which have been identified as part of the assessments reported within ES Chapters 5 to 16 (ES Volume 1). The in-combination assessment, as presented in Tables 17-8 and Table 17-9, concludes that there are no residual effects on receptor groups that would combine to produce a more significant effect than the topic related effects already identified for each receptor group

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				Additional to this, an Interrelationships Report [REP2-112] has been produced that provides information on the interrelationships between Light Valley Solar (LVS) (the Proposed Development) and other relevant Nationally Significant Infrastructure Projects (NSIPs) and major planning applications. This looks at those schemes where they may potentially be overlap and need for coordination.
R-048-98	REP1-048	Wider cumulative and inter-project effects	Could works or mitigation associated with another project prevent Light Valley Solar's mitigation from being delivered as assessed, and if so, how will that risk be controlled?	To the extent that other parties could impact upon the Proposed Development's mitigation proposals, this is a matter that would be taken into account in the decision making for those developments (this is the case for the Ferrybridge development). The other overlapping developments within the Order limits affect the Applicant's cable corridors only, as explained in the Interrelationships Report [REP2-112] .
R-048-99	REP1-048	Wider cumulative and inter-project effects	Has a receptor-by-receptor cumulative assessment been undertaken for communities and routes affected by more than one project?	In accordance with the PINs Guidance Note " <i>Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment</i> ", each technical topic has assessed the potential for cumulative effects with other schemes within the cumulative assessment search radius, this takes account of the impacts on individual receptors assessed within each projects' cumulative assessment, where available, and where applicable.

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Green Belt and Grey Belt				
R-048-100	REP1-048	Green Belt and Grey Belt	Please provide the Applicant's parcel-by-parcel assessment of whether the affected Green Belt land constitutes Grey Belt, including the effect of the development on openness and on the purposes of preventing settlements from merging.	An updated version of the Applicant's Grey Belt Assessment has been submitted at Deadline 2 [REP2-019]. The Appendix has been updated in response to the newly published National Planning Policy Framework (NPPF), August 2026. The Grey Belt Assessment explains the Applicant's position on Grey Belt in detail, presenting the rationale to establish why the land in question does not strongly contribute to purposes (a) 'unrestricted sprawl', (b) 'preventing neighbouring towns from merging', and (d) 'preserve the setting and special character of historic towns'. Full details are set out from paragraph 1.3.13 to paragraph 1.3.25. As the grey belt land tests relate to positioning of land in the context of towns, it is not necessary to carry out a parcel-by-parcel assessment. Regarding openness, NPPF GB7 relates to where development would not be 'inappropriate development' in the Green Belt. Section 1.4 of the Grey Belt Assessment [REP2-019] works through this policy, with reference to GB7 paragraph 1(b). The reasoning for why the development is not inappropriate development is explained by virtue of utilising grey belt land; not fundamentally undermining all

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				purposes of the Green belt (taken together); there being evidence of unmet need for the Proposed Development as set out in the Statement of Need [APP-214]; and the sustainable location in the context of NPPF Policy TR3 which relates to accessibility for users. In this context, the openness test is not applied in the way it would otherwise be for the other forms of 'not inappropriate' development described under NPPF GB7 paragraph 1(f). Please note that the assessment presented by the Applicant has been accepted by North Yorkshire Council as stated at the Examination hearing on the 30th July 2026. While this was before the publication of the revised NPPF, the principles of the Green Belt and grey belt policy and the details of the Applicant's assessment remain fundamentally unchanged.
Securing and monitoring the promised outcomes				
R-048-101	REP1-048	Securing and monitoring the promised outcomes	Please provide a single schedule cross-referencing every mitigation measure relied upon in the Environmental Statement to the relevant DCO requirement, parameter plan, management plan or certified document.	ES Volume 3, Appendix 1.3: Commitments Register [REP2-069] provides a list of the mitigation measures relied on in the ES and notes the securing mechanism by which it is secured (relevant management plan(s), DCO requirement, works plans, or other, document).

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R-048-102	REP1-048	Securing and monitoring the promised outcomes	Which mitigation measures are fixed minimum commitments, and which may be reduced, relocated or altered at detailed-design stage?	The predominant method of securing mitigation is through the management plans and a requirement is included in the Draft DCO [REP2-004] to ensure detailed management plans will be prepared to full versions by the appointed Contractor(s), substantially in accordance with the outline management plans, and will be submitted for approval by North Yorkshire Council in advance of starting the relevant phase of works. Other Control mechanisms include the limits of deviation set out in the Works Plans [AS-004] which control the spatial extent of works pursuant to an article in the Draft DCO Application [REP2-004], and the DCO Application Requirement for approval of detailed design which also includes that detailed design needing to be in accordance with the Design Parameters and Commitments document [REP2-021].
R-048-103	REP1-048	Securing and monitoring the promised outcomes	Who will independently monitor compliance during preliminary works, construction, operation, replacement and decommissioning?	The Permitted Preliminary Works Environmental Management Plan (PPWEMP) [REP2-113] sets out the requirements and responsibilities for monitoring compliance during preliminary works. The outline Construction Environmental Management Plan (oCEMP) [REP2-089] sets out the requirements and

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
				responsibilities for monitoring compliance during construction. The outline Operational Environmental Management Plan (oOEMP) [REP2-091] sets out the requirements and responsibilities for monitoring compliance during operation and replacement works. The outline Decommissioning Environmental Management Plan (oDEMP) [REP2-093] sets out the requirements and responsibilities for monitoring compliance during decommissioning. All of the documents listed above note when and how the relevant authoritative bodies such as the Environment Agency, Natural England and North Yorkshire Council will be involved in ensuring compliance, where applicable.
R-048-104	REP1-048	Securing and monitoring the promised outcomes	Will monitoring reports be made publicly available to the relevant local authorities, parish councils and affected communities?	Monitoring reports, where applicable will be made available to the relevant authoritative bodies such as North Yorkshire Council, where requested. This is consistent with standard practice.
R-048-105	REP1-048	Securing and monitoring	What intervention thresholds, timescales and enforcement mechanisms will apply where noise, landscape, biodiversity,	The Applicant considers that the measures it has committed to in the Management Plans will appropriately manage the impacts of the Proposed Development. It has in those

Comment Reference	Reference ID	Theme(s)	Question	Applicant's Response
		the promised outcomes	traffic, drainage, residential-amenity or other effects are worse than assessed?	Management Plans committed to monitoring and the employment of relevant staff to check compliance with those measures. To the extent that there are any concerns through the lifetime of the Proposed Development, this will be able to be enforced by the local planning authority. With regard to noise, as set out in the outline Operational Environmental Management Plan (oOEMP) [REP2-091] the Applicant will 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.
R-048-106	REP1-048	Securing and monitoring the promised outcomes	Will the Applicant accept the following overarching principle: The final design may differ from the illustrative design, but the environmental outcomes delivered must be equivalent to or better than those assessed in the Environmental Statement.	The Environmental Statement has assessed the parameters and limits of deviation that are secured via the DCO. The illustrative design is not secured, assessed and is therefore not the basis of the ES. The suggested principle is therefore based on a false premise. The ES is also based on the outcomes delivered by the measures set out in the outline Management Plans. NYC

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				will approve the detailed management plans, which must be in substantial accordance with the outlines. Maintenance of the Proposed Development can only take place if it would not give rise to any materially new or materially different effects in comparison with those reported in the environmental statement, secured by article 5(3).