Planning Inspectorate

Application by Light Valley Solar Limited for the Light Valley Solar project

The Examining Authority's written questions and requests for information (ExQ1): Issued on 22 September 2026

Responses are due by deadline 3: 6 October 2026 unless otherwise stated

The following table sets out the Examining Authority's written questions and requests for information - ExQ1. If necessary, the examination timetable enables the Examining Authority to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the initial assessment of principal issues provided as annex C to the Rule 6 Letter dated 19 June 2026. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the question table indicates which interested parties and other persons each question is directed to. The Examining Authority would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique number. When you are answering a question, please start your answer by quoting the unique reference number.

<u>Use of artificial intelligence (AI) in casework evidence</u>

If you use AI to create your submission, you should tell us that you have done this. You should specify which systems or tools you have used, the source of the information that the AI system has based its content on, and what information the AI has been used to create or alter. Further information can be found in the Planning Inspectorate's guidance. By following this guidance, you will help the Examining Authority to understand the origin and accuracy of the information submitted, thereby supporting fair and impartial decision-making. **If you do not declare the use of AI in any evidence submission where it has been used or remove evidence such as watermarks, we reserve the right to reject the submission.**

You should respond to the questions by using the **Have your say** function on the project page of the National Infrastructure website and selecting 'Responses to Examining Authority's First Written Questions (ExQ1)' when asked.

If you are responding to a small number of questions, you can submit your answers by choosing 'Make a comment' and entering your answers in the 'Your comments' box. If you are answering a larger number of questions you should download a copy of the Microsoft Word version of the document, enter your answers and save the document using an appropriate file name. You can then submit the completed document by selecting 'Upload files'.

Microsoft Word version: **Examining Authority's Written Questions 1 (ExQ1) MS Word version**

Abbreviations used

The abbreviations listed here are not repeated in full within the main body of the Examining Authority's written questions.

AMS	Archaeological Mitigation Strategy
BESS	Battery Energy Storage System
BMA	Bird Mitigation Area
BMV	Best and most versatile
BNG	Biodiversity Net Gain
CAH	Compulsory Acquisition Hearing
CEMP	Construction Environmental Management Plan
CLG	Community liaison group
CRC	Cable route corridor
dB	decibels
DCO	Development Consent Order
DPC	Design Parameters and Commitments
EIA	Environmental Impact Assessment
EMF	Electromagnetic fields
EN-1	Overarching National Policy Statement for Energy
EN-3	National Policy Statement for Renewable Energy Infrastructure
EN-5	National Policy Statement for Electricity Networks Infrastructure
ES	Environmental Statement
FRA	Flood Risk Assessment
GIS	Gas insulated system
GLVIA3	Guidelines for Landscape and Visual Impact Assessment, Third Edition
GW	Gigawatt
HDD	Hydraulic directional drilling
HGV	Heavy goods vehicle
HRA	Habitats Regulations Assessment
IDB	Internal drainage board
IEMA	Institute of Environmental Management and Assessment
IPs	Interested Parties
ISH	Issue Specific Hearing
kV	Kilovolt
LCA	Landscape character area
LGV	Light goods vehicle
LIR	Local Impact Report
LNRS	Local Nature Recovery Strategy
LOAEL	Lowest observed adverse effect level
LVIA	Landscape and visual impact assessment
m	metres
mph	miles per hour

MW	megawatt
NE	Natural England
NESO	National Energy System Operator
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
NYC	North Yorkshire Council
oBMAMP	Outline Bird Management Area Management Plan
oCEMP	Outline Construction Environmental Management Plan
oCTMP	Outline Construction Traffic Management Plan
oDEMP	Outline Decommissioning Environmental Management Plan
oDS	Outline Drainage Strategy
Ofgem	Office of Gas and Electricity Markets
OFH	Open Floor Hearing
oISMP	Outline Invasive Species Management Plan
oLEMP	Outline Landscape Environmental Management Plan
oMWMP	Outline Materials and Waste Management Plan
oOEMP	Outline Operational Environmental Management Plan
oSRMP	Outline Soil Resource Management Plan
POC	Point of Connection
PRoW	Public Rights of Way
PV	photovoltaic
RPA	Root protection area
RVAA	Residential visual amenity assessment
RVAT	Residential visual amenity threshold
SAC	Special Area of Conservation
SDS	Solar Development Site
SF_6	Sulphur hexafluoride
sHRA	Shadow Habitats Regulations Assessment
SINC	Site of Importance to Nature Conservation
SOAEL	Significant observed adverse effect level
SPA	Special Protection Area
SRMP	Soil Resource Management Plan
SSSI	Site of Special Scientific Interest
SuDS	Sustainable drainage systems
TCPA	Town and Country Planning Act
YWT	Yorkshire Wildlife Trust

The Examination Library

References in these questions set out in square brackets (for example [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: Examination Library

It will be updated as the examination progresses.

Citation of questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, for example ExQ1 1.1 – refers to question 1 in this table.

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ExQ1	Question to:	Question:
1.	**General and cross-topic questions**	
Q1.1.1	The applicant	**Documentation errata** The applicant is to review the errata and clarifications in annex A of this document and make amendments to the relevant application documents for deadline 4 (Tuesday 17 November 2026). This list is not exhaustive, and the applicant should undertake a thorough check of all documents for accuracy during any future revision.
Q1.1.2	The applicant	**Recreational area and permissive paths in Solar Development Site 4** NYC's LIR [REP1-006] explains its concerns that the arrangement and layout of the proposed permissive paths may not provide sufficient visual interest for users. Figure 12.06 of the Outline Environmental Masterplan [PDA-008] also shows an area in the southeast corner of the site as a proposed recreational space. The applicant is to explain: a) what is the intended purpose/ use of the proposed recreational space and how would it be managed and maintained during the lifetime of the development (or signpost where it can be found in the application documents) b) the proposed means of access to the recreational area appears to be via a permissive path only. Are any other means of access proposed and if so, what and where is this? Set out what equipment would be needed for maintenance and whether the proposed access would allow for that, and whether accessible access would be required or desirable, such as for wheelchair or mobility scooter access.
Q1.1.3	The applicant	**Mitigation route map** The Commitments Register [REP2-069] does not provide a sufficiently comprehensive audit trail of the specific mitigation and controls relied upon by the ES to avoid, reduce or offset significant effects. The audit trail should include clear reference to identify the impact requiring mitigation; the relevant phase of the development such as construction, decommissioning etc; the proposed controls and the enforceable securing mechanism such as DCO requirements, protective provisions, s106 obligations, other consent regimes; and details of the monitoring mechanism. The source documents for each mitigation should be specified, including relevant document chapters/ sections/ paragraphs (including the current Examination Library reference); all to be cross-referenced to other related mitigation where appropriate. The applicant should: a) provide a single mitigation route map that brings together the controls and mitigation measures identified across the ES and related documents. Examples of suitable mitigation route maps can be found in the Sizewell C project, Byers Gill Solar project, and the Lower Thames Crossing project b) either update the Commitments Register to include the required information, or produce a separate document. In either case, the document should be maintained throughout the examination and the final version certified alongside the draft DCO.
Q1.1.4	The applicant	**Restoration Bonds** Several representations raised concerns regarding the long-term certainty that the site could be decommissioned and restored if ownership of the proposed development were to change over time. Whilst the applicant has previously explained in its representations why it considers a restoration bond to be unnecessary (reference CON-21 of [AS-036] and BPC-23 of [REP2-109]), the applicant is to further comment and advise on the following: a) given the Funding Statement [APP-021] demonstrates only that the current applicant has the financial capacity to fund the proposed development, including decommissioning, how can the Examining Authority be satisfied that any future undertaker, owner or operator would also have the financial resources necessary to undertake decommissioning and site restoration works? At deadline 2 in its response to written representations (reference T-WR-CON-01 of [REP2-120]) the applicant stated "…it is not routine for energy DCOs and while similar arguments have been advanced requesting a decommissioning bond, the Secretary of State has not required in most of the solar DCOs to date". This response suggests bonds may have been secured in some cases. The applicant should, therefore, explain: b) which, if any, made solar DCOs has the Secretary of State required restoration bonds to be secured, what were the reasons given in those cases as to why a bond was considered necessary and how was this secured c) explain further why, in light of those decisions and cases, the applicant maintains a restoration or decommissioning bond is not required for the proposed Light Valley Solar project.
2.	**Design, parameters and other details of the proposed development**	
Q1.2.1	The applicant	**On-site cabling and interconnecting underground cabling** The DPC [REP2-021] sets out that for on-site cabling and underground cabling trenches would be up to 2m deep. Paragraph 1.5.1 of the Cable Route Method Statement [APP-147] sets out that if joint boxes are to be used to link sections of underground cables that these could be 3m deep. How does the worst-case scenario assumed for cable trenches take into account the potential use of joint boxes given the cited depths?

ExQ1	Question to:	Question:
Q1.2.2	The applicant	**Maximum parameters associated with integrated/ disaggregated conversion units and 33kV switchrooms** At ISH1 the applicant explained (summarised in [REP1-004]) that the cumulative height of any concrete plinth, required freeboard for flood levels and the height of the proposed integrated conversion unit or switchrooms would not exceed a maximum height of 4.5m. Paragraph 1.3.2 of the updated DPC [REP2-021] sets out that all heights defined in the document are above ground level unless otherwise specified. The Examining Authority remains concerned that the document does not provide sufficient clarity as to whether the stated maximum height parameter for these proposed components is a cumulative measurement to include any concrete plinth, finished floor level adjustment and freeboard allowance. For the avoidance of doubt, the applicant is to: a) update the DPC to make it explicit whether the maximum cumulative height parameter applicable to the proposed integrated conversion units and switchrooms is inclusive of, or in addition to, any external housing, required foundation or concrete plinth depth, finished floor level and freeboard allowance required for flood risk mitigation b) review the DPC and identify any other components of the proposed development where the overall height could increase as a consequence of external housing, foundation type or depth, finished floor level adjustments and freeboard requirements. Where relevant, update the document to make the maximum cumulative height of such elements explicit and confirm that this would not be inconsistent with any of the parameters used in assessing those elements or assessment conclusions.
Q1.2.3	The applicant	**Generating output for the proposed development** Provide the predicted annual electricity generating capacity, expressed in megawatt hours (MWh) for the proposed tracker and fixed solar panel options including: a) the estimated total number of hours in a year when the proposed development would be expected to generate electricity at levels within each of the following percentage bands of its grid export capacity: 0 to 9; 10 to 19; 20 to 29; 30 to 39; 40 to 49; 50 to 59; 60 to 69; 70 to 79; 80 to 89; and 90 to 100% b) the estimated total number of hours in a year when the proposed development could generate electricity in excess of 500MW c) the estimated annual volume of generation (MWh/year) that would otherwise be curtailed in the absence of battery energy storage.
Q1.2.4	The applicant	**Battery energy storage system foundations** At ISH1 the Examining Authority noted that pile foundations for the BESS compound could be up to 15m deep. The Examining Authority questioned why this depth would be necessary, and whether there could be more certainty around foundation type required given the location of the compound has been identified as a specific works area. The applicant advised it would be updating the DPC document and this was identified as an action point reference ISH1-9 [EV5-010]. The updated DPC submitted at deadline 2 [REP2-021] still contains reference to the 15m depth. The applicant should explain why pile foundations of up to 15m would be necessary and why there cannot be more certainty about foundation type at this stage.
Q1.2.5	The applicant	**Capacity of the proposed battery energy storage system** To demonstrate the proposed BESS is of a nature and scale proportionate to the principal development, and would accord with the principles for associated development, the applicant is to provide (or signpost where it can be found in the application documents): a) the anticipated power and storage capacity of the proposed BESS (per unit and in total) b) how many hours it would take to fully charge and fully discharge the proposed BESS c) what informed the extent of land identified for Work No.2 on the Work Plans [AS-004] and the justification for this d) what proportion of a calendar year would the proposed BESS store energy from the proposed generating station for commercial use e) an explanation whether the generating station elements of the proposed development would or would not be financially viable without a BESS.
Q1.2.6	The applicant	**Sulphur hexafluoride emissions – NPS EN-5** The Examining Authority notes that that GIS components such as switchgears and transformers are proposed to be used. Notwithstanding that the ES assumes that sulphur hexafluoride (SF_6) emissions would be negligible, and that the contents of paragraphs 9.6.4(9), 9.9.14 and 9.9.15 of ES Chapter 9 [APP-047] are noted, the applicant is to: a) explain why consideration has not been given to avoiding or prioritising the use of SF_6-free electrical components so as to eliminate emissions from gas insulated switchgear and components, which is a requirement of paragraph 2.10.14 of NPS EN-5 b) include a commitment to avoid or prioritise the use of SF_6-free electrical components as a mitigation measure and update the oCEMP, oOEMP and oDEMP (and any other relevant application documentation) to secure this c) if no such commitment is to be made, further explain and provide evidence to support its position that, having regard to the requirements set out in paragraphs 2.9.62 to 2.9.65 and 2.10.14 and 2.10.15 of NPS EN-5, the use of GIS and SF_6 components would be necessary.

ExQ1	Question to:	Question:
Q1.2.7	The applicant	**Storm resilience** The applicant's response to relevant representations reference RNC-25 of [REP2-109] explained that solar panels are typically tested and rated to withstand up to 140mph wind, and that it intends to use such panels as part of the proposed development. Section 2.13 of the oOEMP [REP2-091] also sets out measures to address any issues in the event of a storm or extreme weather. The applicant should: a) explain whether it can commit to using panels and components that meet the standards referenced rather than simply say it 'intends' to do so? For example, could the DPC be updated to secure this? b) confirm that there is no section 2.13 of the oOEMP, and either signpost where this information is set out, or update the oOEMP accordingly.
Q1.2.8	The applicant	**Perimeter fencing** The DPC [REP2-021] sets out that perimeter fencing would generally comprise deer wire mesh fencing with timber posts and allow the passage of small mammals. Whilst noting details of fencing are secured by requirement 9 of the draft DCO [REP2-004], NYC's LIR [REP1-006] comments that further details including, amongst others, minimum ground clearance, mesh aperture dimensions, wire spacing and use of use of rabbit mesh should be defined at this stage. The applicant is to update the aforementioned documentation to strengthen the commitment that fencing details to be approved would address and secure the matters identified by NYC.
Q1.2.9	The applicant	**Substations and cable route options CRC1-4 and CRC1-4a** Table 1-1 of the Technical Note: Plot Optionality [REP2-111] indicates that if substation components were to be in SDS4 then CRC1-4 would be used whereas if substation components were to be in SDS2 then CRC1-4a would be used. However, paragraph 2.5.34 of ES Chapter 2 [REP2-027] states "the Proposed Development requires substations on Solar Development Sites 1, 2 and 4…" and paragraph 2.5.50 explains that the decision on the cable route to be taken would depend on the detailed electrical design of interconnecting cables. These statements therefore appear inconsistent. The applicant is to: a) confirm the number of substations required as part of the proposed development b) if the final design proposes a substation at SDS4, explain why it would be infeasible for CRC1-4a to facilitate the cable connection c) clarify the basis on which the choice between CRC1-4 and CRC1-4a would be made, including whether the route selection would be: • dependent upon the location of substation components • dependent upon the detailed electrical design of the interconnecting cables • or if it would be influenced by both factors.
Q1.2.10	The applicant North Yorkshire Council	**Offset to public highways** The DPC [REP2-021] does not specify any minimum offsets from public highways be incorporated into the proposed work no. 6 areas which includes fencing, lighting, acoustic barriers, and gates. The applicant is to: a) explain and provide justification for the lack of a prescribed offset to the public highways in the Order limits b) if offsets are not considered necessary: • explain how can the Examining Authority can be reassured that fencing, lighting, acoustic barriers, and gates would not be erected at the edge of the public highway and therefore not give rise to potential impacts on visual amenity and highway safety? • give details of other made solar DCO projects where the lack on minimum offsets from public highways has previously been found to be acceptable c) NYC is to confirm its position on this matter as both the planning and highway authority.
Q1.2.11	The applicant	**Offsets to non-ancient/ non-veteran trees** The Commitments Register [REP2-069] at C14 and the DPC [REP2-021] (e.g. tables 2-1 and 2-2) both require specified elements of the proposed development to have a minimum 5m offset, or an offset of the root protection area from non-ancient/ non-veteran trees. However, the Commitments Register is inconsistent with the DPC in that it does not include the caveat 'whichever is larger' but instead uses the phrase 'where practicable'. The applicant is to review, and update as necessary, the Commitments Register to align with the DPC in relation to offsets to non-ancient/ non-veteran trees.
Q1.2.12	The applicant	**Minimum buffer to Common Wood Site of Importance for Nature Conservation** The Commitments Register [REP2-069] at C14 sets out that for construction, operation and decommissioning there would be a minimum buffer of 20m adjacent to Common Wood SINC, whereas there is no minimum buffer measurement specified in the DPC [REP2-021] (e.g. in tables 2-1 and 2-2). The applicant is to: a) update the DPC to be consistent with the Commitments Register

ExQ1	Question to:	Question:
		b) update the oCEMP [REP2-089] to include a minimum buffer for Common Wood SINC, including a specified exception where the cable route corridor construction traffic utilises an existing culvert to cross an associated ditch at Common Wood.
3.	**Need**	
Q1.3.1	The applicant National Energy System Operator (NESO)	**Need for the proposed battery energy storage system** In an open letter from the Department for Energy Security and Net Zero and Ofgem on connections reform delivery, dated 16 April 2026, it explained there was 14.8GW above the top of the Clean Power 2030 Action Plan battery capacity range for 2030, and 61.7GW above the projected battery system need in 2035, after the reforms process. Parties should provide a view on the relevance of this letter, and its contents, in considering the need for the proposed BESS. Responses should consider that the proposed BESS only has a Gate 1 offer without an indicative connection date, as set out in section 3.7 of the Statement of Need [APP-214].
4.	**Agriculture and land use**	
Q1.4.1	The applicant	**Continued agricultural use** Section 3.3 of ES Chapter 3 [REP2-029] sets out that project objective 5 is to support the on-going agricultural economy. Paragraph 5.10.1 of ES Chapter 5 [REP2-031] explains that the loss of agricultural land could be partially mitigated through continued agricultural use alongside the development. However, this remains only an option for future consideration, with no firm commitment at this stage. The applicant should explain: a) what form of agricultural production or activity would be undertaken, and how is this committed to b) if a continued agricultural use is not committed to, or secured, at this stage: • how does this align with project objective 5 and what reliance (if any) can be given to this as a mitigation method? • how could this be secured or agreed post-consent?
Q1.4.2	North Yorkshire Council	**Green Belt** Green Belt matters were discussed at ISH1 [EV5-004]. NYC agreed with the applicant that the cable corridor works constitute engineering operations and that the SDSs fall within the grey belt, meaning neither is inappropriate development in Green Belt terms. However, NYC reserved its position on the cable corridor compound at CRC 4-POC, pending submission of its LIR. NYC's LIR [REP1-006] does not address this issue, or Green Belt matters more generally, however, the applicant updated the Planning Statement [REP2-015] and Appendix 2: Grey Belt Assessment [REP2-019] at deadline 2. In light of this, NYC is to: a) confirm its position regarding Green Belt policy matters and whether it agrees with the applicant's assessment and conclusions b) if it disagrees, provide an explanation and reasoning.
Q1.4.3	Skipwith Parish Council	**Agricultural land classification of SDS1** Skipwith Parish Council stated [RR-1289] that it rejects the applicant's contention that 80% of the land within SDS1 is subgrade 3. However, table 5-12 of ES Chapter 5 [REP2-031] identifies the site as comprising 45% subgrade 3a and 44% subgrade 3b (a total of 89% subgrade 3) and when considered in the context of other proposed development land, as a whole, the site comprises of approximately 54% best and most versatile agricultural land. Given this, can the Parish Council explain the basis on which it disagrees with the applicant's assessment and provide evidence that supports its position that the assessment is incorrect?
Q1.4.4	The applicant	**Soil storage** Section 6.2 of the oSRMP [REP2-105] explains that the locations and depths of topsoil and subsoil stripping would be confirmed through the detailed SRMP and that stockpiles would not exceed 4m in height. Paragraphs 4.2.4 and 4.2.5 of the oMWMP [APP-197] indicate that approximately 124,214 tonnes of topsoil would be excavated and retained for reuse whilst approximately 111,118 tonnes of subsoil would be surplus to requirements and managed as a waste stream for off-site reuse, recovery or disposal. Given the substantial quantities of material involved, and as the locations for the storage of excavated soils has not been identified or demonstrated as being capable of being accommodated within the Order limits at this stage, the applicant is to: a) provide evidence demonstrating that the forecast volumes of topsoil and subsoil requiring storage on site throughout the operation of the development could be accommodated within the Order limits. This should include: • the maximum land take required for such storage • the broad locations and anticipated footprint of all soil stockpiles, having regard to the stated stockpile parameters.

ExQ1	Question to:	Question:
		b) explain how the likely environmental effects of soil storage have been assessed, with specific reference to the potential effects of any soil mounds or stockpiles on landscape and visual amenity, drainage, and flood risk c) explain where the estimated 111,118 tonnes of subsoil to be taken offsite is derived and what implications this may have on the ability to restore and reinstate the site following decommissioning.
5.	**Cultural heritage**	
Q1.5.1	North Yorkshire Council	**Setting of Heritage Assets** Paragraph 10.16 of NYC's LIR [REP1-006] advised that discussions were ongoing between NYC and the applicant, regarding impacts on the setting of heritage assets. NYC is to provide a schedule summarising: • all designated heritage assets where disagreement remains • the nature of that disagreement • whether it relates to the magnitude of change, significance of effect, effectiveness of mitigation, or overall conclusion
Q1.5.2	The applicant North Yorkshire Council Historic England	**Level of harm** For each heritage asset the applicant has assessed as experiencing 'less than substantial harm', the applicant should: a) update its assessment of that harm based on the updated NPPF (2026) assessment terms of positive effect, no effect, harm, substantial harm or total loss for heritage assets affected by the proposed development b) identify or signpost to where in the application documents that harm lies within the spectrum of 'less than substantial harm' and where it lies within the updated NPPF (2026) assessment terms. With reference to the updated NPPF (2026), the applicant, NYC and Historic England should: c) comment on the extent to which the proposed development may give rise to a positive effect, no effect, harm, substantial harm or total loss for heritage assets affected by the proposed development.
Q1.5.3	The applicant North Yorkshire Council Historic England	**Archaeological Mitigation Strategy** The submitted AMS [REP2-101] identified a range of embedded mitigation measures including preservation in situ, the use of non-intrusive construction techniques in sensitive locations, targeted archaeological investigation and recording, and area-specific mitigation responses. NYC noted within its LIR, at paragraphs 11.10 to 11.13 [REP1-006] that the proposed archaeological mitigation is acceptable and supports the embedded mitigation approach incorporated into the scheme design. Historic England and NYC should each confirm its understanding of the status and purpose of the AMS and specifically: a) whether it is intended to function as a definitive mitigation strategy rather than an outline framework requiring substantial further development post-consent? b) confirm the extent to which it provides sufficient certainty regarding the archaeological mitigation measures to be implemented across the Order limits c) whether any significant elements of archaeological mitigation remain to be determined at a later stage d) whether the AMS, together with the draft DCO requirements and associated documents, provides an adequate basis for archaeological mitigation e) whether any additional approvals or mechanisms are necessary to secure implementation of the mitigation measures identified. The applicant is to: f) identify which elements of archaeological mitigation are fixed by the submitted AMS and which, if any, remain subject to further agreement, investigation or detailed design and how these would be secured.
Q1.5.4	The applicant North Yorkshire Council Historic England	**Additional requirement for Archaeological Mitigation Strategy** Paragraphs 11.8 to 11.10 of NYC's LIR [REP1-006] confirmed that NYC is broadly supportive of the embedded mitigation, the use of non-intrusive mounting systems in certain locations, and the AMS. However, paragraph 11.12 of the LIR states that "The embedded mitigation is set out within the application and also within the oCEMP. The specific agreement of the embedded mitigation on an area by area basis could form an additional requirement of the DCO". Whilst ES Figure 2.6 Solar Panels Concrete Feet or Other Non-Ground Penetrative Techniques [APP-063] and ES Figure 8.4 Archaeological Mitigation Areas [APP-088] identify various mitigation proposals outlined in the AMS, these are not certified documents per schedule 13 of the draft DCO [REP2-004]. All parties should, therefore:

ExQ1	Question to:	Question:
		a) explain whether there is a need for a separate approval mechanism requiring confirmation of the precise mitigation to be applied in each area before works commence and whether the oCEMP [REP2-089] could potentially be secured through an additional requirement within the DCO requiring agreement of mitigation measures on an area-by-area basis. NYC should explain the following: b) whether it considers the AMS and current drafting of requirement 11 in the draft DCO provide sufficient certainty regarding delivery of embedded archaeological mitigation c) if an additional requirement Is needed, the purpose of such a requirement, how it would operate in practice and whether any proposed rafting can be provided d) which forms of embedded mitigation it considers would benefit from separate approval or verification. The applicant is to provide, or signpost to where in the application documents that the following can be found: e) whether the existing DCO framework would secure the embedded archaeological mitigation identified through the ES, AMS and oCEMP f) whether there would be any practical benefit in an additional requirement g) whether a location-specific approval process would provide any additional safeguards beyond those currently proposed. Historic England should provide: h) comments upon whether any additional DCO mechanism is necessary and proportionate.
Q1.5.5	The applicant	**Mitigation** Landscape mitigation planting is relied upon to reduce effects on heritage settings. The applicant is to: a) explain how the planting has been assessed from a heritage perspective and specifically whether introducing substantial new vegetation has the potential to alter or obscure historic relationships that contribute positively to significance b) for each heritage asset where mitigation planting forms part of the assessment, identify the planting relied upon, assumed planting maturity, anticipated effectiveness timescale, whether the planting itself alters historic landscape relationships, how significance conclusions would change should planting fail to establish.
Q1.5.6	The applicant	**Duration of heritage impact** The proposed development has an anticipated operational life of up to 60 years. Explain whether effects experienced over a period of 60 years are appropriately described as temporary and how this consideration has informed conclusions regarding the significance of heritage impacts.
Q1.5.7	The applicant North Yorkshire Council Historic England	**SDS8** The archaeological mitigation approach for SDS8 appears different to the approach adopted elsewhere. Other SDSs contain defined mitigation areas, preservation in-situ measures, and prescribed archaeological responses. SDS8 is subject to comparatively limited constraints (excepting the identification of heritage assets and Romano-British archaeological remains). Paragraph 6.1.8 of the AMS [REP2-101] explains that access to SDS8 would be refined post-consent, and paragraph 6.1.9 provides for archaeological mitigation associated with the Scalm Lane access option to be agreed at a later stage. The applicant is to: a) explain, or signpost to where in the application documents that it can be found, why SDS8 would be subject to a less prescriptive archaeological strategy than other SDSs and demonstrate that the archaeological resources within SDS8 have been sufficiently characterised to justify this. In responding to (a) above, the applicant should explain: b) what level of residual archaeological uncertainty remains within SDS8 following geophysical survey and trial trench evaluation, and the evidence supports this c) why it is appropriate for archaeological mitigation associated with the SDS8 access route to be determined post-consent d) the extent to which the approach relies on matters being addressed subsequently rather than through mitigation identified and assessed during the application. NYC and Historic England should also provide comments on the above approach, specifically: e) whether they consider the archaeological evidence base for SDS8 to be sufficiently complete f) whether they are satisfied that the significance of any archaeological remains within SDS8 has been adequately understood and assessed, and if the approach would provide certainty that likely significant archaeological effects have been appropriately assessed and secured.

ExQ1	Question to:	Question:
Q1.5.8	The applicant	**Archaeological Mitigation Strategy** The AMS [REP2-101] is titled as an 'Archaeological Mitigation Strategy' and is referred to as such throughout the application documents. However, the file has been submitted and saved as an 'Archaeological Management Strategy'. Please confirm that this is an Archaeological Mitigation Strategy.
6.	**Cumulative and In-combination effects**	
Q1.6.1	The applicant	**Proposed wood processing plant, King Rudding Lane** Riccall Parish Council [REP1-012] raised concerns about potential cumulative traffic impacts of the proposed development and an existing wood-processing operation on King Rudding Lane. Whilst noting the applicant's response in its written representation at deadline 2 (reference WR-RPC-20 of [REP2-119]) that, as an existing route, use and traffic associated with this development is accounted for within the baseline traffic flows, the applicant is to: a) update tables 14-33 and 14-34 of ES Chapter 14 [REP2-041] to clarify that this development has been considered as part of the cumulative assessment (notwithstanding the fact that it is seeking retrospective permission) b) if necessary, add any additional commentary to this chapter to clarify and explain how traffic associated with this development has been considered as part of the assessment.
Q1.6.2	The applicant	**Hillam Solar Farm** Table 10-27 in ES Chapter 10 [APP-048] does not include development ID67 (Solar Farm AP/2025/0037/REF) which was recently granted planning permission and is in the vicinity of the proposed SDS2, SDS3 and SDS4. This site does, however, appear in table 17-11 of ES Chapter 17 [REP2-047]. The applicant is to: a) confirm whether ID67 has been identified and assessed in terms of potential cumulative landscape and visual effects including on landscape character areas LCA11 Sherburn Farmlands and LCA13 Haddlesey Farmland and viewpoints 11, 55 and 69 b) if it has been assessed, update the tables contained in ES Chapter 10 [APP-048] to reflect this.
7.	**Ecology and biodiversity**	
Q1.7.1	The applicant	**Invasive species** At section 5 of the oISMP [APP-206] the applicant sets out mitigation measures to be implemented to prevent the spread of Himalayan balsam and Japanese knotweed known to be present within the Order limits. The measures are detailed and prescriptive, and would be implemented prior to the start of works. However, C7 of the Commitments Register [REP2-069] indicates that these invasive species would be removed from the Order limits 'where practicable' prior to the start of work. The applicant should: a) confirm how this commitment accords with the mitigation measures set out in section 5 of the oISMP, the requirements in the oLEMP [REP2-095], the oCEMP [REP2-089] and whether any amendments to these documents are required for consistency b) explain how if any Himalayan balsam and Japanese knotweed were to be left remaining within the Order limits, as it was not practicable to completely remove, how would spread be prevented from that which remained, and how would workers or users of rights of way during the operation stage be protected from coming into contact.
Q1.7.2	The applicant	**York Local Nature Recovery Strategy** YWT's relevant representation [RR-1455] refers to the objectives of the North Yorkshire and York Local Nature Recovery Strategy and highlights the importance of habitat connectivity between the Lower Derwent Valley and surrounding landscapes. The applicant should provide, or signpost where in the application documents, the following can be found: a) an explanation of how the proposed habitat creation has been designed to support the Local Nature Recovery Strategy objectives b) identification of which elements of the proposed ecological mitigation are intended to function as ecological corridors, movement corridors, habitat expansion and buffer zones.
Q1.7.3	The applicant	**Electromagnetic fields and underground cabling** Item EA01 of the Environment Agency's representation [REP1-019] identifies uncertainty regarding the assessment of electromagnetic field effects arising from underground cabling on fish, lamprey and eel species. The applicant has submitted an updated oCEMP [REP2-089] at deadline 2 which specifies additional mitigation measures. The Examining Authority notes the updated oCEMP, and requests that the applicant should: a) confirm that the assessment has been undertaken against the final proposed cable design

ExQ1	Question to:	Question:
		b) explain how, if these matters remain subject to detailed design, the Examining Authority could be satisfied that the conclusions of the assessment represent a realistic, worst case scenario.
Q1.7.4	The applicant Environment Agency	**Hagg Lane Drain and Mearley Drain** Item EA02 of the Environment Agency's relevant representation [RR-0419] disputed the decision to scope Hagg Lane Drain and Mearley Drain out of detailed fish survey work. The applicant responded to EA02 on page 23 of its response to relevant representations [PDA-014], that Mearley Drain would not be crossed by the proposed development, and impacts would be avoided through a 10m buffer within SDS4. Hagg Lane Drain would be crossed by the lower voltage 33kV cable alignment; however, it is envisaged this watercourse would be crossed using an existing crossing. The Environment Agency has not commented further. The applicant should: a) provide, or signpost to, further explanation of the basis upon which those watercourses were determined unsuitable for fish and how hydrological connectivity was considered. Has a precautionary principle been applied? And what are the implications for the EIA if fish are subsequently found to be present with respect to the assessment of likely significant effects and any potential mitigation measures. The Environment Agency should: b) respond to the applicant's suggestion that for Mearley Drain and Hagg Lane Drain the desk study position is proportionate to inform the EIA of impacts to these watercourses.
Q1.7.5	The applicant Environment Agency	**Fish spawning, lamprey migration and salmon incubation periods** Items EA03, EA04 and EA05 of the Environment Agency's relevant representation [RR-0419] identified a number of factual inaccuracies relating to fish spawning periods (EA03), lamprey migration periods (EA04) and salmon incubation periods (EA05). At deadline 1, the Environment Agency confirmed [REP1-019] that the Atlantic salmon incubation period (EA05) had been resolved. The applicant submitted an updated oCEMP at deadline 2 [REP2-089]. The Environment Agency should: a) comment on the updates in the oCEMP, and the extent to which its concerns within the original relevant representation [RR-0419] have been addressed, specifically in relation to EA03 and EA04. The applicant should: b) confirm the updated oCEMP does not require further changes to any assessment, management plan, mitigation commitment or construction programming assumption which relies upon these timings to be revised. If any revision is necessary, explain why.
Q1.7.6	The applicant Natural England North Yorkshire Council	**Data corruption** Following discussion around data corruption of breeding survey data for SDS1 to SDS4 at ISH1 [EV5-007] the applicant shared a note with NYC on 7 August 2026 in response to Action Point ISH1-21 [EV5-010]. Paragraph 9.29 of NYC's LIR [REP1-006] explains the Council's view that "...whilst the applicant maintains that this correction does not alter the overall conclusions of the Environmental Statement, the Council considers that the revised baseline represents a materially different ornithological baseline to that assessed within the submitted ES". All parties are requested to confirm that the data corruption issue has been resolved satisfactorily, and set out what, if any, outstanding issues remain as a result.
Q1.7.7	The applicant Natural England	**Water vole pre-commencement surveys and mitigation** NYC's concerns on water voles are set out paragraph 9.12 of its LIR [REP1-006]. The applicant responded at reference LIR-NYC-100 [REP2-117] to provide further certainty within the oCEMP [REP2-089] regarding pre-commencement surveys and response mechanisms for water vole. The oLEMP has also been updated. The applicant should respond and comment on those concerns and explain how it addresses NYC's concerns that: a) further certainty is required in relation to water vole pre-commencement surveys, proposed mitigation and response mechanisms, given the extensive ditch network and uncertainty regarding the functional value of seasonally wet ditches b) the oLEMP [REP2-095] and oBMAMP [APP-205] would benefit from clearer ecological success criteria, monitoring thresholds, reporting requirements, adaptive management triggers and remedial actions. NYC should explain, having regard to the oLEMP and oCEMP: c) if further certainty is required regarding the specification of operational fencing and the measures proposed to maintain habitat connectivity and mammal movement across the SDSs. NE should explain whether it: d) has any reason to consider there being any impediment, at this stage, to a protected species licence being issued at the appropriate time.

ExQ1	Question to:	Question:
Q1.7.8	The applicant North Yorkshire Council Natural England	**Great crested newt assessment** The originally submitted great crested newt assessment [APP-156] was limited by lack of access to a number of ponds within the relevant survey area. An updated assessment was submitted at deadline 2 [REP2-074]. As this represents a limitation to the baseline, the applicant has adopted a precautionary approach by assuming presence in un-surveyed ponds where appropriate. The applicant should: a) confirm how this precautionary assumption is carried through into the detailed mitigation strategy, or signpost where in the application documentation this is set out. NYC should: b) provide updated comments on the great crested newt assessment, including the adequacy of the assessment in relation to access to ponds within the survey area. NE should explain whether it: c) has any reason to consider there being any impediment, at this stage, to a protected species licence being issued at the appropriate time.
Q1.7.9	The applicant North Yorkshire Council Natural England	**Mammal movement corridors** The Design Approach Document [APP-216] refers to the retention of mammal movement corridors, and that the proposed fencing has been designed to minimise disturbance to mammal movement through the development. The locations of corridors, the mechanism by which connectivity would be maintained and the design standards that would be applied are not clearly secured within the DPC [REP2-021] or elsewhere. Requirement 9 of the draft DCO would require details of permanent means of enclosure to be submitted to and approved by the relevant planning authority. However, those details must be assessed against the parameters established through the draft DCO and certified documents. The applicant is to confirm: a) what are the parameters for fencing design in relation to mammals, against which the detailed submission that would be required under requirement 9, could be assessed at the post-consent stage. ES Chapter 6, updated at deadline 2 [REP2-033] explains that conclusions regarding badger, hedgehog, brown hare and other terrestrial mammal species rely, in part, upon the assumption that fencing would maintain ecological permeability and habitat connectivity across the SDSs. The application refers to deer mesh fencing and that small mammals would be able to pass through where practicable. The update to ES Chapter 6 [REP2-033] provides some additional information, for example within paragraphs. 6.9.158 and 6.9.314. The applicant is to: b) explain how this provides sufficient detail regarding ground clearance, mesh aperture sizes, wire spacing, treatment of fence bases, use of rabbit mesh, anti-dig measures, or the location and specification of mammal movement corridors c) provide a detailed explanation of how operational fencing would maintain habitat connectivity and facilitate the movement of badger, hedgehog, brown hare and other terrestrial mammals throughout the lifetime of the development d) identify the minimum design standards proposed for fencing, including ground clearance, mesh dimensions, wire spacing and any exclusions to those standards e) explain how retained mammal movement corridors have been identified, mapped and incorporated into the proposed scheme design f) demonstrate how the effectiveness of the proposed fencing design has been assessed and whether any evidence from comparable operational solar developments has informed the approach g) explain whether mammals would be excluded from any existing foraging habitat and, if so, how the resulting effects have been assessed h) identify how the relevant fencing specifications and connectivity measures would be secured through the draft DCO and associated certified documents. NYC and NE should i) comment on the long-term habitat connectivity and wildlife permeability, and what additional provisions, if any, may be required j) explain whether the oCEMP [REP2-089] submitted at deadline 2 provides sufficient mammal movement opportunity k) with reference to Work No.6 in table 2-5 of the DPC submitted at deadline 2 [REP2-021], explain if there is adequate allowance for small mammals. Are the provisions within the oCEMP [REP2-089] and oOEMP [REP2-091] sufficient?
Q1.7.10	The applicant Natural England	**Impacts from construction dust (Construction phase) - Burr Close, Selby Site of Special Scientific Interest** Item NE9 of NE's relevant representation, and its deadline 1 submission [REP1-025] explains that nationally designated site Burr Closes, Selby SSSI should be identified as an ecological receptor in the CEMP due to proximity to the proposed cable route. At page 15 of the applicant's Response to Relevant Representations [REP2-109], the applicant explains that specific ecological receptors would not be specified in the CEMP, but instead measures would be applied to the full Order limits. The applicant and NE should set out whether: a) sensitive receptors and specific measures required to prevent impacts should be identified explicitly in the oCEMP

ExQ1	Question to:	Question:
		b) the proposed measures that would be secured under requirement 12 of the draft DCO would be sufficient to mitigate impacts to Burr Closes, Selby SSSI? NE should explain: c) if the proposed measures in requirement 12 are not considered to be satisfactory to fully mitigate any impacts, what additional measures would NE consider would fully mitigate impacts.
Q1.7.11	The applicant	**Timing of trenchless solutions for watercourse crossings** Paragraph 2.5.1 and table 3-3 of the oCEMP [REP2-089] and The Commitments Register [REP2-069] at C18 and C161, refer to trenchless techniques and HDD being undertaken between July and September, unless otherwise agreed with the Environment Agency. This would be to avoid sensitive times for fish. The DPC [REP2-021] at Work No. 2 (table 2-2) and Work No. 5 (table 2-4) does not specify a July-September construction window. The applicant is to review the DPC for consistency and update as necessary.
Q1.7.12	The applicant	**EMF mitigation commitment for main river crossings** The Commitments Register [REP2-069] at C18 and the oCEMP [REP2-089] at table 3-3 refer to EMF mitigation measures including the depth of the cabling being a minimum of 5m below the main riverbeds, unless otherwise agreed by the Environment Agency and NE. The applicant should signpost where this commitment is set out in the DPC [REP2-021], and update that document for consistency as necessary.
Q1.7.13	The applicant	**Under-panel habitat condition** A substantial proportion of the predicted BNG relies upon habitats established beneath solar arrays [APP-220]. However, the Statutory Biodiversity Metric [APP-221] contains no specific habitat classification for land beneath solar panels. The applicant should, therefore: a) explain the extent to which professional judgement has been used regarding habitat condition assumptions. The applicant should also provide, or signpost where in the application documents the following can be found: b) evidence supporting the habitat condition assumptions adopted for under-panel habitat c) examples from comparable operational solar developments d) details of monitoring proposed to validate those assumptions e) justification that the biodiversity gains relied upon in the assessment represent a realistic and precautionary outcome.
Q1.7.14	North Yorkshire Council	**Compensation for wider farmland and ground-nesting bird assemblages** Paragraph 9.11 of NYC's LIR [REP1-006] states that its "principal concern relates to the degree of certainty with which species compensation, mitigation and monitoring outcomes are secured". It explains NYC's view that whilst the BMA provides a dedicated mechanism for mitigating effects on functionally linked land associated with SPA/ Ramsar qualifying bird species, NYC seeks further clarification regarding compensation for wider farmland and ground-nesting bird assemblages across all SDSs. The applicant responded in LIR-NYC-99 [REP2-117] that it has updated the oLEMP at deadline 2, stating that it will take these points into consideration. NYC should further explain: a) what compensation for wider farmland and ground-nesting bird assemblages across all SDSs it considered should be provided.
8.	**Habitat Regulations Assessment (HRA)**	
Q1.8.1	The applicant Natural England North Yorkshire Council Yorkshire Wildlife Trust	**Wintering Bird Survey** NE's issue NE1, as explained in its representations [RR-1039] and [REP1-025], supports the applicant's approach to undertaking a single season of wintering bird surveys, subject to additional contextual information regarding flooding and land use. Paragraph 9.41 of NYC's LIR [REP1-006] considers that this introduces residual uncertainty concerning inter-annual variability in bird use. YWT [RR-1455] also considers that two years of field survey effort would have provided a more robust evidence base. In response to these concerns, the applicant submitted a technical note at deadline 2 [REP2-114], which it considers to be a more representative basis for considering the proposed development's contribution to breeding bird mitigation. The note was issued to NYC on 7th August 2026. The applicant's response to relevant representation reference YWT-14 [REP2-109] explained that the sHRA [REP2-023] relies on a single year of ornithological survey data supplemented by desk-based evidence and precautionary buffers. It stated that the approach has been accepted with close liaison with NE. In doing so, it sets out that a precautionary approach was adopted that goes beyond what is typically considered standard practice when a two-year approach is used. The applicant confirmed that inter annual variability is acknowledged throughout the documents and the examples provided within the sHRA using other comparable solar NSIP sites evidence that numbers can fluctuate significantly, both up and down per annum.

ExQ1	Question to:	Question:
		The Examining Authority acknowledges NE's position on this matter outlined in its representation [RR-1039]. NE should provide comments on concerns raised by NYC and YWT regarding the adequacy of the wintering bird survey data as follows: a) does NE consider the wintering bird survey data to be sufficient to conclude no Adverse Effects on Integrity on the Lower Derwent Valley SPA and Ramsar and the Humber Estuary SPA and Ramsar? Given the above, NYC and YWT should: b) explicitly state whether they consider that a second year of surveys should have been undertaken, having regard to advice from NE c) confirm if each is satisfied that the current survey information provides sufficient evidence to assess the effects of the proposed development on wintering bird species d) whether a second year of wintering bird survey effort would be likely to have materially influenced the conclusions of the HRA. The applicant is to explain: e) why a single winter survey season, supplemented by desk-based evidence and flood-condition analysis, is or is not sufficient for the purposes of HRA f) any uncertainty that remains and how that uncertainty has been addressed or satisfied within the HRA conclusions.
Q1.8.2	The applicant	**Measurable outcomes for wider farmland and ground-nesting bird assemblages** Paragraph 9.11 of NYC's LIR [REP1-006] states that its "principal concern relates to the degree of certainty with which species compensation, mitigation and monitoring outcomes are secured". NYC's view is that that whilst the BMA provides a dedicated mechanism for mitigating effects on functionally linked land associated with SPA/ Ramsar qualifying bird species, NYC seeks further clarification regarding measurable outcomes for wider farmland and ground-nesting bird assemblages across all SDSs. The applicant responded LIR-NYC-99 [REP2-117] that it has updated the oLEMP at deadline 2, stating that it will take these points into consideration. The applicant should: a) provide further clarification regarding measurable outcomes for ground-nesting and farmland birds across SDS2 to SDS8 b) comment on NYC's view that the oLEMP should include explicit species-specific objectives and management measures for farmland birds, and set out, or signpost to which of the measures have been taken into consideration.
Q1.8.3	The applicant Natural England	**Noise disturbance impacts to birds using functionally linked land** Item NE2 of NE's written representation [REP1-025] explains that during the construction phase there would be potential for disturbance to wintering and passage birds using the wetland bird mitigation area associated with SDS1, as well as adjacent functionally linked land outside of the proposed Order limits. The applicant has submitted an updated sHRA [REP2-023] including 8.2.65, 8.2.75 and 8.2.78 to address this. The applicant should: a) provide further information on the characteristics of the noise that would be generated during construction of SDS1 and, if piling methods are to be used, demonstrate that birds would not be subjected to disturbing 'loud bangs' during construction. If this information is presented already signpost to where this can be found. In light of the information presented in the updated sHRA [REP2-023] NE should: b) confirm whether it is satisfied that the applicant's assessment and proposed approach adequately address potential noise impacts on birds using functionally linked land and explain why.
Q1.8.4	The applicant Natural England	**River and Sea Lamprey (Operational phase)** Item NE5 of NE's written representation [REP1-025] explains that the application documents did not secure precautionary mitigation for impacts of electromagnetic fields (EMF) on migrating lamprey associated with designated sites. The applicant has updated the sHRA at deadline 2, in which paragraph 8.3.34 [REP2-023] states that "The detailed CEMP will set out the EMF mitigation measures that have been deployed (including the depth of cabling) across the Proposed Development and explain how that has taken account of the latest research and practice and consultation with NE and the Environmental Agency on this matter. The starting point will be that the depth of the cabling will be a minimum of 5 metres, unless otherwise agreed by the Environment Agency and NE as part of the aforementioned consultation". The applicant should: a) confirm that the starting point of cable depth, referred to in paragraph 8.3.34 [REP2-023], as being a minimum of 5m includes all cases With reference to the updated sHRA, NE should: b) confirm whether or not it is satisfied that this matter is now resolved and advise on any further comments.
Q1.8.5	The applicant	**Bird Mitigation Area, functionally linked land and wider ornithological compensation**

ExQ1	Question to:	Question:
	Natural England North Yorkshire Council	The BMA is relied upon principally within the HRA as mitigation for the loss and disturbance of functionally linked land associated with qualifying species of the Lower Derwent Valley SPA/ Ramsar. Paragraph 9.34 of NYC's LIR [REP1-006] explains that the Council's concern regarding the extent to which the BMA is also relied upon, either explicitly or implicitly, in support of conclusions relating to breeding farmland and ground-nesting birds, including skylark, corn bunting, lapwing and yellow wagtail. Section 4.9 of the oBMAMP [APP-205] sets out the bird surveys that would be undertaken. This includes at paragraph 4.9.7 a reference to bird boxes: "Bird boxes, particularly tree sparrow colony boxes and A-frames to support nesting kestrel and barn owl. These will be monitored under the oLEMP. These will be monitored by a licensed person(s) and will be checked and cleaned out between September and February, annually". This would appear to contradict paragraph 4.4.2 of the oBMAMP [APP-205] which states that "The BMA will be managed exclusively for the benefit of non-breeding birds, including qualifying species and those that form part of the wider waterbird assemblage" as it seems to imply that the BMA is also intended to create habitat for species other than qualifying SPA and Ramsar species. The applicant is to: a) explain whether the BMA is intended solely as mitigation for effects on functionally linked land and qualifying SPA and Ramsar bird species, or whether it is also intended to mitigate for impacts upon breeding farmland and ground-nesting bird assemblage b) confirm whether the BMA has been sized and designed solely to address HRA related requirements or whether it includes additional provision beyond that necessary to conclude no adverse effect on site integrity c) explain if the BMA provides capacity beyond that required for HRA purposes, quantify that additional provision and explain whether it is relied upon within the ES d) explain whether the proposed development could proceed, and the relevant assessment conclusions [REP2-023] remain unchanged, if the BMA were to be reduced to the minimum area necessary to mitigate effects on functionally linked land e) provide a clear explanation of the relationship, if any, between the BMA and the mitigation, compensation and monitoring proposed for breeding farmland and ground nesting birds f) explain how any risks of double-counting ecological benefits have been avoided.
Q1.8.6	The applicant Natural England North Yorkshire Council	**Long-term certainty and effectiveness of the Bird Mitigation Area** Paragraphs 9.26 to 9.39 of NYC's LIR [REP1-006] explains NYC's view that further clarification is required regarding compensation and measurable outcomes for wider farmland and ground nesting bird assemblages across all SDSs. NYC considers that greater certainty is required regarding detailed design, hydrological feasibility, performance targets, monitoring arrangements and adaptive management. It considers that the oBMAMP should be strengthened by defining measurable success criteria, monitoring thresholds, remedial triggers and contingency measures. The applicant responded at deadline 2 [REP2-117] that it considers that the oBMAMP [APP-205] already establishes a clear framework for the development of measurable success criteria, monitoring requirements, reporting mechanisms and adaptive management measures, which would be agreed in consultation with NYC and NE. Section 4.9 of the oBMAMP [APP-205] provides for the agreement of measurable targets against which the success of the BMA would be assessed. Having regard to NYC's comments, as set out above, the applicant should explain: a) specifically, how success of the BMA would be measured, including the quantitative success criteria, monitoring thresholds and performance indicators b) what remedial triggers would be used if monitoring demonstrates that the intended outcomes are not being achieved c) what adaptive management or contingency measures would be implemented and secured With specific reference to the implementation and completion of the BMA, the applicant should also: d) provide, or signpost where in the application documents other than the Commitments Register, (for example the oBMAMP, oLEMP or oCEMP or DPC) confirmation that the BMA would be made functional prior to commencement of development In paragraph 9.36 of its LIR [REP1-006], NYC set out that "The Council is also concerned that the Bird Mitigation Area is located within an isolated part of the scheme and is spatially remote from many of the development areas where displacement of breeding territories will occur". Given that paragraph 1.1.2 of the oBMAMP [APP-205] confirms that its purpose is "to outline how measures proposed will provide mitigation for the anticipated displacement of wetland birds associated with Lower Derwent Valley and the Humber Estuary SPA and Ramsar site" as a result of the proposed development, NYC is to: e) provide a view on whether the BMA should provide for other species (non-functionally linked land) affected by other parts of the Order limits, including development sites which are more remote from the SPA and Ramsar sites f) if NYC considers that the BMA should provide for species within the Order limits which are more remote from SDS1, it should summarise why this may be considered necessary and explain if provision of habitat for other species could result in any further consequences that would need to be assessed

ExQ1	Question to:	Question:
		NYC and NE should also: g) provide comments on whether the BMA has been appropriately distinguished from mitigation and compensation proposed for wider farmland bird assemblages and whether sufficient certainty exists regarding its long-term delivery and effectiveness.
Q1.8.7	Natural England	**Mitigation and Adverse Effects on Integrity** NE should set out, at this point, its views on the overall proposed mitigation and effects on integrity of designated sites. NE should explain: a) whether or not the applicant has proposed and secured sufficient mitigation to rule out adverse effects on integrity for the Lower Derwent Valley SPA and Ramsar and the Humber Estuary SPA and Ramsar b) if not, what further mitigation would NE consider necessary?
9.	**Landscape and visual effects**	
Q1.9.1	The applicant	**Cumulative effects on landscape character** Paragraph 8.18 of NYC's LIR [REP1-006] and its relevant representation [RR-1075] explains its concerns regarding the assessment of cumulative landscape effects. Paragraphs 9.14.1 to 9.14.3 of ES Chapter 10 [APP-048], and table 17-12 of ES Chapter 17 [REP2-047] provides broad overall conclusions regarding cumulative and in-combination landscape effects. These conclude that the proposed development would be likely to lead to some cumulative landscape and visual effects during construction, Year 1 of operation and decommissioning stages. The applicant is to: a) explain how the assessment adequately distinguishes between cumulative visual effects and cumulative landscape transformation b) explain whether the concentration of existing, consented and proposed solar developments would result in fundamental change to the landscape character c) comment on the extent to which the proposed development, when combined with others would significantly alter the character of the landscape such that it could no longer be regarded as a rural location.
Q1.9.2	The applicant	**Assessment of cumulative landscape effects** Explain how sufficient weight has been given to cumulative impacts arising from other large-scale solar proposals in the wider area when forming the assessment of effects on overall character of this part of North Yorkshire.
Q1.9.3	The applicant North Yorkshire Council	**Cumulative landscape effects** Monk Fryston Parish Council's relevant representation [RR-0991] draws attention to the remarks of NYC's landscape officer in their report to NYC's strategic planning committee on 10 February 2026. In it, paragraph 4.8 states: "We [NYC] have concerns about the potential negative cumulative effects on local communities such as Escrick, Monk Fryston, Hillam, Birkin, Hambleton: the major transformative scale of the proposed development in combination with other major development; the significance of the grid connection point at Monk Fryston Substation; the pace of change and the erosion of the landscape and visual baseline around those settlement areas affected." The applicant should: a) provide comments, and a response, to the content of the landscape officer's report to its strategic planning committee of 10 February 2026 NYC should: b) submit the report and provide an expansion and further explanation on the basis for these concerns.
Q1.9.4	The applicant	**Methodology and conclusions (SDS2)** NYC's LIR [REP1-006] identifies concerns regarding the methodology and conclusions of the cumulative landscape assessment, particularly in relation to SDS2, the BESS and substation proposals. NYC considers the assessment of the substation and BESS requires further investigation in terms of effects on landscape and views, embedded mitigation and mitigation proposals. Therefore, the applicant should provide, or signpost to where in the application documents, the following: a) a detailed explanation of how the applicant distinguishes between: • cumulative visibility • cumulative landscape effects • cumulative landscape transformation b) an explanation as to whether there is a point at which individually acceptable developments collectively become capable of changing the defining characteristics of the landscape at SDS2.

ExQ1	Question to:	Question:
Q1.9.5	The applicant	**Methodology and conclusions (cumulative)** The applicant concludes that significant cumulative effects would not result in fundamental alteration of landscape character [APP-048]. Given this, the applicant is to provide, or signpost to where in the application documents, the following: a) the basis upon which this conclusion is reached having regard to: • existing solar development • consented solar development • proposed solar development • transmission infrastructure • associated energy infrastructure b) evidence demonstrating where the threshold between cumulative impact and cumulative landscape transformation has been drawn.
Q1.9.6	The applicant	**Mitigation** Mitigation planting forms an important component of the assessment in a number of locations. For each viewpoint where planting materially influences the residual significance conclusion: a) identify the planting relied upon b) state its assumed height and maturity c) identify the assumed year of effectiveness d) explain how the assessment outcomes would change should that planting fail to establish
Q1.9.7	The applicant	**Perceptual landscape change** Explain how the assessment has considered effects on tranquillity, experiential qualities, rural character and perceptual responses to landscape change. In responding, distinguish between visual effects and broader experiential effects.
Q1.9.8	The applicant	**Residential amenity and living conditions** The Commitments Register [REP2-069] confirms that embedded visual mitigation includes designing the preliminary layout of the SDSs to incorporate minimum offsets, including 30m from the curtilage of residential properties. The securing mechanism for this would be the oCEMP and the DPC [REP2-021]. At OFH1 [EV4-002], Louise Billingham cited the recently consented Botley West Solar Farm proposal, in which comparable offsets are proposed as 250m from residential curtilages. Table 10-5 of the LVIA [APP-048] set out the applicant's view the Residential Visual Amenity Threshold (RVAT) would not be reached. It referred to the Landscape Institute's Technical Guidance Note 02/19: Residential Visual Amenity Assessment (RVAA) (LI TGN 02/19), which explains that the aim of RVAA is to identify those residential properties whose visual amenity has the potential to be affected to such an extent that it may affect the living conditions of the occupants. The LVIA explains that it has not identified "any significant adverse residual effects on the views of residents that will remain of major significance (the highest category) at Year 15 of operation, which may indicate that the living conditions could be affected. This is due to the minimum 30m setbacks and mitigation planting embedded …Therefore, in line with LI TGN 02/19 …a RVAA has not been carried out." The RVAT represents a very high threshold for private views and would indicate a substantial degree of visual change. Given this, the Examining Authority would query whether increased offsets or further design refinement could reduce the severity of effects at residential receptors, given the proximity of development and the presence of views of panels in multiple orientations. Whilst mitigation planting is proposed to screen views of solar panels over time and may reduce the likelihood of the RVAT being reached at Year 15, residual visual effects would remain at Year 15 due to the alteration and foreshortening of existing open rural view. Regarding the living conditions of the residential receptors identified, the applicant should: a) provide a schedule of residential properties where visual effects are considered to be significant at Year 1 of operation. For each, set out in the schedule the corresponding effects at Year 15 of operation. Where this has reduced, provide a comment as to the scope of reduction and the point or points at which it is considered to reduce. Where it does not reduce (e.g. at Siddle House, as stated in Table 10-26 of the LVIA within ES Chapter 10 [APP-048]) comment as to the effectiveness of mitigation to reduce the effects b) identify any properties where more than 50% of the principal outlook would include solar infrastructure, security fencing, BESS infrastructure, substations or associated mitigation planting at Year 1 and Year 15 and explain the conclusion that effects at those properties would not become overbearing, overwhelming or otherwise unacceptable

ExQ1	Question to:	Question:
		c) provide individual and updated Work Plans to demonstrate the impact that larger offsets from the identified residential properties in (a) and (b) above, would have on the layout and potential generating capacity of the proposed development. Buffer distances to be considered include a doubling of the proposed buffer to 60m, and an additional doubling to 120m, and 240m. A complete set of alternative plans should be provided with each scenario therefore having a different drawing number d) provide any additional comments or further information it wishes to make on the implications of each of the above scenarios e) with reference to these additional distances, explain and justify the applicant's position that a RVAA is not required.
Q1.9.9	The applicant	**Local Nature Recovery Strategy** NYC in its LIR [REP1-006] considers that there is opportunity for the oLEMP [REP2-095] to be strengthened in terms of alignment with the North Yorkshire and York Local Nature Recovery Strategy (LNRS) as well as confirming that there would be green infrastructure multifunctional benefits (or benefits from nature) arising from the creation and management prescriptions in the oLEMP. The applicant is to explain whether, and how, the document could be more explicit about which prescriptions align with the LNRS overarching priorities and the priorities, and update as necessary.
Q1.9.10	The applicant	**Landscaping requirements: North Yorkshire Council input** Paragraph 8.33 of NYC's LIR [REP1-006] explains that as part of the oLEMP, requirement 6 should provide clarification as to the scoping and frequency of auditing and monitoring visits, and subsequent reporting and sign-off by NYC. The applicant's response at reference LIR-NYC-24 notes this comment but does not respond to it. Response reference LIR-NYC-25 goes on to state that the updated oLEMP [REP2-095] makes clear at paragraph 1.2.7 that Figure 3.1: of the Outline Environmental Masterplan is an illustration of how the mitigation and enhancement commitments and outcomes could be delivered. The applicant and NYC should explain the scope for consultation with NYC, and the extent to which there is agreement on the mechanism for approval of the detailed landscape proposals arising from the Outline Environmental Masterplans.
Q1.9.11	The applicant	**Settlement separation and coalescence** The proposed development occupies land within a predominantly rural setting and therefore could result in a perceived separation of settlements. Whilst the LVIA within ES Chapter 10 [APP-048] assesses landscape character and visual effects, it is not clear whether the role of the site in maintaining settlement identity and separation has been assessed as a discrete matter. The Examining Authority notes that GLVIA3 makes a distinction between effects on landscape character and effects on specific landscape features and qualities. Settlement separation can be considered a landscape characteristic or valued landscape attribute even where it is not formally designated. The applicant should: a) confirm that the LVIA specifically assessed the contribution of the application site to settlement pattern, settlement separation and the maintenance of individual settlement identity b) confirm that the conclusions on these matters are adequately captured within the landscape character assessment Additionally, the applicant should explain, or if relevant, signpost to where in the application documents the following can be found: c) whether the development would alter perceptions of separation between settlements, and whether areas of solar infrastructure, substations, BESS compounds or mitigation planting would influence perceptions of settlement identity d) whether this matter has been assessed separately from landscape character effects and if not, why the applicant considers this unnecessary.
Q1.9.12	The applicant	**Sequential experience of Public Rights of Way** The LVIA within ES Chapter 10 [APP-048] uses representative viewpoints. GLVIA3 recognises that views experienced by people moving through the landscape, including users of PRoWs may differ from those observed at fixed representative viewpoints and should be considered as part of the assessment of visual effects. Users of PRoWs experience the landscape sequentially rather than from fixed locations. The applicant should: a) explain how the experience of users travelling along key PRoWs and recreational routes would be affected b) list those routes where proposed solar infrastructure would form a defining component of the view c) set out whether significant effects occur across extended route sections even where individual viewpoints are assessed as less than significant d) confirm that cumulative sequential effects have been fully assessed.
Q1.9.13	Forestry Commission	**Ancient Woodland, Ancient and Veteran Trees** Paragraph 10.7.24 of the applicant's LVIA within ES Chapter 10 [APP-048] sets out that across the Order limits, tree cover is generally sparse, with most trees located along field boundaries or within woodland blocks. The arboricultural impact assessment [APP-184] identifies 25 woodland blocks and 435 hedges within or near the Order limits, with 1682 individual trees and 257 tree groups surveyed. It explains that ancient woodland is limited, with Gilbertson's Wood (to the north-east of SDS1) designated as ancient seminatural woodland. Other notable ancient woodlands include Bishop Wood and Little Moss Hagg (approximately 650 m north-east of SDS8), Holly Carrs, Hart Nooking Wood and Common Wood within Escrick Park Estate (approximately 300m south-west of SDS1), and Moreby Wood (approximately 2.3km west of SDS1). ES Chapter 10 [APP-048] confirms that a buffer of 15

ExQ1	Question to:	Question:
		times the stem diameter, as measured at 1.5m, would be put in place around ancient or veteran trees and that a minimum 10m offset or the root protection area, whichever is greater, would be maintained around non-ancient woodland. For all other non-ancient/non-veteran trees, a minimum 5m offset or the root protection area would be provided where practicable. In relation to Gilbertson's Wood and identified ancient and veteran trees, a minimum 15m offset would be provided, security fencing would be located at least 20m from the woodland edge, and no construction activity would occur within 20m of the woodland. The Forestry Commission should: a) confirm to what extent it agrees with these conclusions and provide further comments on the assessment of effects b) explain if the proposed buffers and offsets are sufficient to avoid direct and indirect deterioration of the ancient woodland, or are further measures required
Q1.9.14	The applicant	**Decommissioning and permanent loss of mitigation** The oDEMP [REP2-093] indicated that, following decommissioning, land may be returned to previous agricultural uses. NYC raised concerns in its LIR [REP1-006] that extensive mitigation planting, woodland, hedgerows and green infrastructure established during the operational life of the development could subsequently be removed. The applicant should set out the following: a) distinguish between what is provided as mitigation and what is an enhancement, and therefore what proportion of proposed planting and habitat creation could lawfully be removed following decommissioning b) whether the decommissioning assessment has considered the environmental effects arising from removal of established mitigation c) what mechanisms exist to retain successful landscape and biodiversity mitigation post-decommissioning d) whether retention of mature green infrastructure would provide greater long-term environmental benefits than restoration to previous agricultural use.
10.	**Noise and vibration**	
Q1.10.1	The applicant North Yorkshire Council Natural England	**Construction noise (SPA and Ramsar Site)** NE's written representation [REP1-025] identifies outstanding uncertainty regarding the assessment of noise effects on qualifying bird populations associated with the Lower Derwent Valley SPA and Ramsar site. Item NE2 of NE's relevant representation explains that it considers that this outstanding issue can be addressed through provision of further information to demonstrate the characteristics of the noise generated during construction of SDS1. The applicant's response submitted at deadline 2 [REP2-118] confirms that changes are proposed by the applicant to the sHRA, also submitted at deadline 2 [REP2-023]. The Examining Authority notes these proposed changes by the applicant to the sHRA. In response, NE and NYC should: a) set out whether they believe these proposed changes would be sufficient to rule out Adverse Effects on Integrity to the Lower Derwent Valley SPA and Ramsar site and the Humber Estuary SPA and Ramsar site from noise disturbance impacts to birds using functionally linked land Alongside this, the applicant is asked to provide a detailed explanation of: b) the construction activities relied upon in the assessment including piling methods and the sound power levels assumed. This should include the duration and frequency of works and a noise assessment that does not include time corrections to demonstrate the level of noise above baseline at source.
Q1.10.2	The applicant	**Construction noise (mitigation)** The assessment of construction noise effects [APP-172] relies upon mitigation and management measures to reduce construction noise effects. The applicant should provide, or signpost where within the application documents, that the following can be found: a) the exact mitigation measures which are secured through the draft DCO, including identification of those which are within certified documents b) which measures remain subject to detailed design.
Q1.10.3	The applicant North Yorkshire Council	**Cumulative and in combination construction noise** Construction activities would occur concurrently across multiple solar development sites, cable corridors and infrastructure compounds. The applicant should provide an explanation, or signpost where it can be found in the application documents: a) how the assessment has addressed simultaneous construction activities, mobile construction plant, multiple concurrent receptors and changing construction scenarios over the anticipated build programme b) how the findings of the Construction Noise and Vibration Assumptions and Results [APP-172] correlate with conclusions reached in the assessment of other effects in the ES such as public health; Landscape and Visual; Ecology; HRA; and living conditions c) how cumulative operational noise effects have been assessed in combination with existing energy infrastructure; and consented schemes under construction. This should include schemes currently within the TCPA system.

ExQ1	Question to:	Question:
		NYC's LIR [REP1-006] confirms that the ES presents a comprehensive and robust assessment of noise and vibration impacts across all phases of development. NYC sets out key local issues at paragraph 7.7 of its LIR. Given this, NYC is asked to confirm: d) whether this view applies to cumulative construction noise, and that cumulative and in combination impacts are not considered to form part of the key local issues e) having regard to the number of solar, battery storage and electricity infrastructure projects proposed within the wider area, whether cumulative operational noise could materially alter background sound environments within nearby settlements.
Q1.10.4	The applicant North Yorkshire Council	**Operational noise** Table 2-2 of ES Appendix 11.3 [APP-173] sets out operational noise rating levels by reference to the predicted operational noise rating levels at assessed receptors. Paragraph 2.2.2 notes that a +4dB feature correction has been applied to the specific sound level to determine the rating level as a BS4142 style assessment approach, comparing the operational rating level against background sound levels. ES Appendix 11.3 [APP-173] also identifies where receptors are more than +5dB above background (LOAEL) and less than +10dB above background (SOAEL). The applicant is to: a) confirm, or signpost to where in the application documents that it can be found, that none of the receptors are predicted to exceed the +10dB SOAEL threshold b) confirm that the levels in table 2-2 [APP-173] are the assessed maxima noise levels at the receptors which provide clear, enforceable noise limits c) comment on whether these could be secured through the draft DCO or, for example, through the oOEMP [REP2-091] Paragraph 7.7 to 7.9 of NYC's LIR [REP1-006] confirms NYC's view that the ES presents a comprehensive and robust assessment of noise and vibration impacts across all phases of development and its views on the adequacy of the draft DCO. It sets out that robust controls are required through the DCO including a clear operational noise design criterion relative to background sound levels at sensitive receptors, detailed management plans, post-construction noise monitoring and verification, and mechanisms for remedial action. Subject to these matters being secured, NYC has no objection in respect of noise and vibration. NYC and the applicant should therefore provide: d) further commentary on the need for the inclusion of absolute noise levels within a requirement, and the linking of this to a certified document.
Q1.10.5	The applicant North Yorkshire Council	The applicant has updated the oOEMP deadline 2 [REP2-091]. Rather than specifying operational noise limits, the approach would be 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. NYC and the applicant should: a) comment on this approach, and the extent to which it secures those matters outlines in NYC's LIR [REP1-006] b) explain how the assessment demonstrates that operational noise limits can be achieved under the maximum assessed design scenario.
Q1.10.6	The applicant	**Lowest Observed Adverse Effect Level and Significant Observed Adverse Effect Level** Appendix 11.2 [APP-172] and 11.3 [APP-173] and ES Figures 11.2 [APP-099] and 11.3 [APP-100] provide an analysis of those receptors predicted to experience between +5dB and+10dB. The applicant should provide an update, disaggregating the data provided in ES Appendix 11.2 and 11.3, identifying the following: a) receptors predicted to experience effects above LOAEL b) all receptors predicted to experience effects approaching or exceeding SOAEL c) the magnitude of exceedance d) the duration of that exceedance e) how these findings have informed the assessment conclusions.
Q1.10.7	The applicant	**Tonal, impulsive, intermittent and low-frequency noise characteristics** The applicant is to: a) explain how the assessment has addressed tonal, impulsive, intermittent and low-frequency noise characteristics b) where acoustic penalties have not been applied, explain why not.
Q1.10.8	The applicant North Yorkshire Council	**BESS noise** Paragraph 7.6, 7.8 and 7.9 of NYC's LIR [REP1-006] explains its view that embedded mitigation measures, including plant siting, orientation, acoustic screening and selection of low-noise equipment, has been incorporated into the scheme design. It notes that mitigation measures are currently defined at an outline level and would be refined at detailed design stage. The applicant should provide, or signpost to where the following can be found:

ExQ1	Question to:	Question:
		a) a clear and enforceable operational noise limit including whether it is considered necessary, and if not, why not NYC should confirm: b) whether or not a clear and enforceable operational noise limit has been sufficiently defined, and whether this is considered to be sufficient and enforceable.
Q1.10.9	The applicant	**Emergency operational noise** The applicant is to: a) explain how battery fault conditions, fire suppression events have been considered within the operational noise assessment b) explain how back-up diesel generators at substations have been considered as it is unclear whether these have been assessed in Table 2-1 of ES Appendix 11.3 [APP-173] despite being referred to in para 11.9.55 of ES Chapter 11 [APP-049] c) if such events as outline above have been excluded, explain why.
Q1.10.10	The applicant	**Noise, health and wellbeing** NYC's LIR [REP1-006] identified concerns regarding health and wellbeing impacts over the operational life of the proposed development. The applicant is to provide, or signpost where it can be found in the application documents, an explanation as to how operational noise contributes to the public health assessment and whether any receptors may experience long-term effects because of continuous exposure.
Q1.10.11	The applicant North Yorkshire Council	**Noise monitoring** Table 3-9 of the oOEMP [REP2-091] confirms that detailed design of measures to be implemented, and noise impact assessment including noise monitoring would be agreed with NYC, with a verification survey undertaken 3 months from operation to demonstrate compliance. The applicant should provide, or signpost to where in the application documents that the following can be found: a) monitoring locations, monitoring frequency, trigger levels, exceedance procedures, reporting arrangements, corrective actions b) explain what mechanisms would be available to investigate and resolve future noise complaints from residents and other sensitive receptors throughout the operational life of the proposed development NYC should: c) confirm whether the noise monitoring measures including the verification survey would be sufficient.
Q1.10.12	The applicant	**Mass movement of tracker panels** At deadline 2 the applicant set out its response [REP2-001] to action point ISH1-11 that the assessment of tracking solar panels tables included an assumption that these would "…move progressively throughout the day such that a mass movement at the start or end of the day is unlikely to occur". The Examining Authority notes that in section 2.2.4 of ES Appendix 16.4: Glint and Glare Assessment [APP-186] it is explained that the modelling for that assessment assumes the panels would revert to a resting angle of 0 degrees and therefore lie horizontally from sunrise until the sun enters the rotation range, and immediately after the sun leaves the rotation range until sunset daily. This therefore suggests the mass movement of panels at the start and end of each day has been assessed as likely elsewhere in the ES. Given the above, the applicant is to: a) explain and account for the apparent differing assumptions and methodologies adopted in these assessments and confirm whether, in practice, the proposed development would result in a mass movement of panels at the start and/ or end of each day b) if mass movement is proposed, explain whether this alters or amends the findings and conclusions in relation to the noise assessment c) if mass movement is not proposed, explain whether this alters or amends the findings and conclusions in relation to the glint and glare assessment.
11.	**Other matters**	
Q1.11.1	Network Rail	**Glint and glare effects on railway users** Potential significant effects in Year 1 of operation are identified on railway users associated with SDS6. Paragraph 16.8.13 of ES Chapter 16 [REP2-045] explains additional mitigation in the form of advanced planting would be carried out at the commencement of the construction phase to address these effects. a) Confirm whether it agrees with the applicant's assessment, its conclusions and the proposed mitigation identified to address adverse effects as set out in ES Chapter 16? If not explain why. b) Provide a view on the measures contained in section 4.2 of the oLEMP [REP2-095] and whether these are acceptable and sufficient.

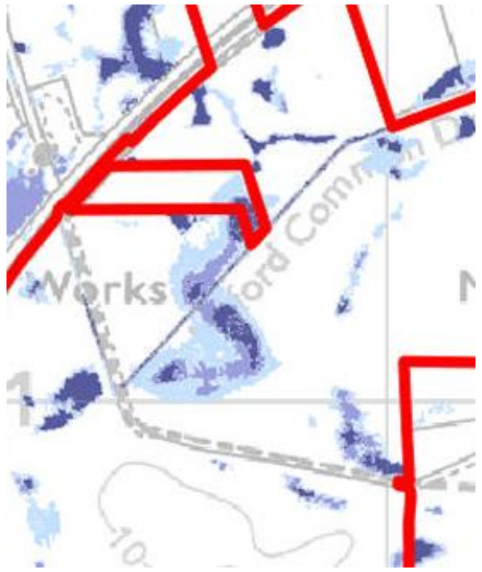
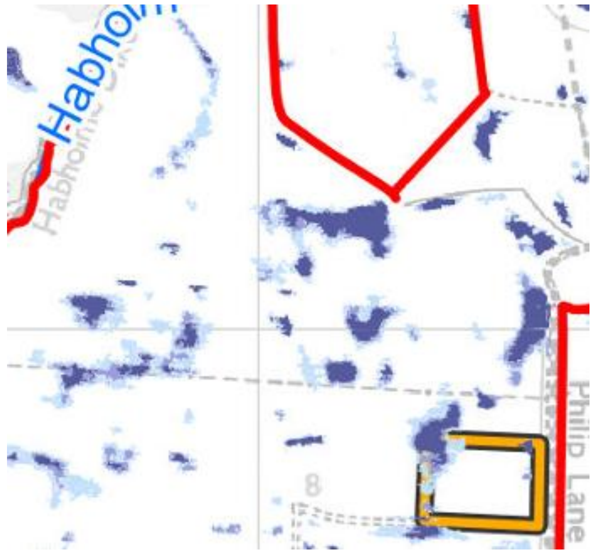
ExQ1	Question to:	Question:
Q1.11.2	The applicant	**Glint and glare effects along Skipwith Road (SDS1)** Table 16-4 of ES Chapter 16 [REP2-045] confirms significant glint and glare impacts are predicted at Year 1 along Skipwith Road. Advanced planting is proposed to mitigate such effects and the locations of this are shown on ES Figure 16.1 [APP-141]. This plan does not show planting proposed along Skipworth Road. a) Confirm whether advanced planting is proposed along Skipworth Road and, if it is, update ES Figure 16.1 to reflect this. b) If advanced planting in this location is not considered necessary, explain why having regard to the current limited planting that exists along this boundary.
Q1.11.3	The applicant	**Glint and glare – NPS- EN3** Paragraph 2.10.98 of NPS EN-3 advises that when a glint and glare assessment is undertaken, the potential for solar PV panels, frames and supports to have a combined reflective quality may need to be assessed. Paragraph 3.4.1 of ES Appendix 16.4: Glint and Glare Assessment [APP-186] confirms that only a reflection from the face of the solar panel has been considered and not the frame or the reverse of the frame considered. a) Explain and justify why the assessment did not consider effects from the frames and supports in combination with the panels. Paragraph 2.10.126 of NPS EN-3 advises that applicants should consider using solar panels to comprise (or be covered with) anti-glare or anti-reflective coating with a specified angle of maximum reflection attenuation for the lifetime of the permission. Noting adverse effects have been identified on some receptors, the applicant should also: b) confirm whether consideration has been given to the use of anti-glare or reflective coatings to mitigate those effects c) if not, set out the reasons as to why this has not been considered.
Q1.11.4	The applicant	**Human mental health and well-being** Section 17 of NYC's LIR [REP1-006] explains NYC's concerns regarding human health. Paragraph 17.9 requests that a separate assessment of the direct and indirect effects upon human health, encompassing mental and physical health in line with the IEMA 2022 guidance 'Determining Significance for Human Health in Environmental Impact Assessment' should be undertaken. Submissions were also made by numerous IPs on the potential effects of the proposed development on mental health and wellbeing. Whilst noting the approach set out in table 4-1 of ES Chapter 4 [APP-042] that the effect on human health is considered within individual topic chapters of the ES, given the concerns raised by NYC and other IPs the applicant is to provide a Health and Wellbeing Summary Statement. This should summarise, in a single document, the approach to the consideration and assessment of effects of the proposed development on human health and wellbeing (both physical and mental health). An example of such a document was submitted into the examination of the recent Springwell Solar Farm NSIP (see [REP1-067 of EN010149] Springwell Solar Farm). The applicant should prepare and submit a similar document covering the same issues specific to the proposed Light Valley Solar project.
Q1.11.5	Sherburn Aero Club	**Effects on Sherburn Aero Club** The written representation submitted by Sherburn Aero Club [REP1-029] raised concerns relating to glint and glare effects on wider pilot field of vision, adequacy and efficacy of the proposed emergency landing strip and the effects of thermal radiation and electromagnetic interference. The applicant's response to reference AVI-06 [AS-036] and references WR-SAC-03 to 07 [REP2-119] advised that discussions were ongoing and a statement of common ground was being progressed. Sherburn Aero Club is to review the applicant's response provided at deadline 2 and confirm, whether in its view, any of the matters and concerns raised in its previous representations remain, or whether these have been resolved.
Q1.11.6	The applicant	**Effects on other airfields** Paragraph 16.8.12 of ES Chapter 16 [REP2-045] states "Consultation has also been undertaken with other airfields where 'yellow' glare is predicted but is considered operationally accommodatable, given the short durations of yellow glare and low traffic volumes at the airfields". a) Confirm and provide, or signpost where it can be found in the application documents, evidence that the airfield operators assessed as part of the glint and glare assessment were consulted on the proposals and assessment findings. b) If they were not consulted, provide an explanation and justification for this.
Q1.11.7	North Yorkshire Council	**Minerals and waste safeguarding** Matters relating to minerals and waste safeguarding are contained within the Minerals Assessment [APP-210]. This assessment confirms that designated safeguarded minerals of brick clay and sand are present within the Order limits and that there is an existing and safeguarded waste site (The Maltings) near to the proposed SDS7. NYC's LIR [REP1-006], submitted at deadline 1, does not set out NYCs position on these matters. Therefore, NYC is to:

ExQ1	Question to:	Question:
		a) confirm its position and whether it agrees with the applicant's assessment and conclusions b) if it disagrees with the applicant, provide an explanation and reasoning.
12.	**Site selection and alternatives**	
Q1.12.1	The applicant	**Future risk of flooding** Confirm what dataset was used to represent the future risk of flooding in the site selection process, and signpost to where this is stated in the Site Selection Assessment Report [AS-019].
13.	**Socioeconomic effects**	
Q1.13.1	The applicant	**Cumulative effects on rural communities** a) explain how the socio-economic assessment has considered the cumulative effect of multiple infrastructure developments on rural communities. In particular: • identify the developments included within the cumulative assessment • explain whether repeated exposure to large-scale energy infrastructure has been considered • identify whether cumulative effects on community identity, perception of place, recreation and community wellbeing have been assessed • explain how the applicant has distinguished cumulative socio-economic effects from cumulative landscape effects b) provide reasons for any conclusion that cumulative socio-economic effects would be less than significant.
Q1.13.2	The applicant	**Tourism and visitor economy** The area contains a range of environmental, heritage and countryside assets which contribute to the local visitor economy. The applicant should summarise how the assessment has considered the potential relationship between the following: • landscape character • heritage setting • recreational access • visitor experience • tourism-related economic activity
14.	**Traffic and transport including public rights of way**	
Q1.14.1	The applicant	**Baseline assumptions** Paragraph 2.7.1 of ES Chapter 2 [REP2-027]) explains that 'construction' could start in 2028, whereas elsewhere in paragraph 14.8.70 of ES Chapter 14 [REP2-041] it is stated that 'mobilisation' works could start in 2028. a) Confirm whether construction works would commence in 2028, or mobilisation works? If they are mobilisation works, the applicant should confirm: b) what are these and how are they defined (e.g. 'permitted preliminary works' as defined in the draft DCO) c) traffic movements associated with these works have been factored into the traffic assessment (or signpost where this can be found in the application documents) noting paragraph 14.7.4 of ES Chapter 14 indicates that, for the purposes of the assessment, traffic movements have been added to the network in the future base year scenario of 2029 d) what implications, if any, this would have for the assessment in terms of traffic impacts given the potential traffic movements associated with these works.
Q1.14.2	The applicant	**Agricultural traffic** The written representation of Thorganby Parish Council [REP1-015] noted that the rural road network experiences significant seasonal increases in agricultural and large vehicle movements. Noting the previous comments to relevant and written representations contained within response references TGPC-09 of [REP2-109] and WR-THPC-23 [REP2-119], the applicant should: a) confirm, and explain, how seasonal agricultural traffic have been reflected in the baseline and traffic assessment given that the traffic surveys were undertaken outside the main harvest period

ExQ1	Question to:	Question:
		b) if assumptions have been applied to represent agricultural traffic movements, confirm what those assumptions were and the evidence base supporting them (or signpost where this is can be found in the application documents).
Q1.14.3	The applicant	**Construction traffic numbers – worst case scenario** Paragraph 14.7.3 of ES Chapter 14 [REP2-041] explains that construction vehicle forecasts have been estimated based on other similar solar developments, the MW capacity at each location and the length of the construction programme. Table 5-1 of the Transport Assessment contained within ES Appendix 14.1 [REP2-077] sets out the assumed generating capacities and associated HGV movements for each SDS. The total capacity figure of 608MW presented is based on a scheme using single axis tracker panels (as confirmed in [REP1-004]) whereas a fixed south facing panel layout would generate approximately 662MW and require more panels (as confirmed by para 9.6.4(3) of ES Chapter 9 [APP-047]). In light of this: a) confirm whether the Transport Assessment has assessed construction traffic based on single axis tracker panels or fixed south facing panels and therefore the realistic worst-case scenario in terms of traffic movement. b) provide a breakdown of the construction traffic requirements associated with the installation of single axis tracker panels and fixed south facing panels having regard to any differences in terms of the number of panels and supporting infrastructure. c) if the construction traffic forecasts in table 5-1 of the Transport Assessment are based on a single-axis tracker panel layout, provide equivalent forecasts for a fixed south facing panel layout and confirm whether this would alter the total HGV movements, peak construction traffic flows or any conclusions of the Transport Assessment. Where changes arise, update the relevant tables, figures and assessment results accordingly.
Q1.14.4	The applicant	**Construction traffic movements** Table 14-20 of ES Chapter 14 [REP2-041] and table 5-7 of ES Appendix 14.1 [REP2-077] both contain numerical figures on forecast construction movements. In both tables, odd numbers are identified in relation to average daily HGV/ LGV movements despite these being cited as two-way movements. Paragraph 14.10.54 of ES Chapter 14 also explains that, during the construction phase there could be an average of 790 daily vehicle movements in total (two-way) including 291 HGVs. These figures differ to those contained within table 5-7 of ES Appendix 14.1 which indicate a total of 750 average daily vehicle movements (comprising of 251 HGVs and 499 LGVs and cars). a) Explain why odd numbers are cited for average HGV/ LGV movements when they are identified as being two-way movements and comment on whether these should be rounded up to provide a more accurate assessment. b) Explain and account for the differences in the total average daily vehicle numbers cited in table 5-7 and paragraph 14.10.54 and, if necessary, update and amend the documentation accordingly so the figures are consistent throughout.
Q1.14.5	The applicant North Yorkshire Council	**Swept path and junction analysis drawings** The updated drawings contained in ES Appendix 14.1 [REP2-077] are noted and welcomed. However, the Examining Authority notes several of the drawings only show swept paths demonstrating access or egress from one direction despite those accesses lying along proposed construction routes which suggest traffic could approach and exit those sites from both directions. Examples include Drawing Nos EN0110012/APP/LVS/06.03.14.B.T001_3; EN0110012/APP/LVS/06.03.14.B.T002_1; EN0110012/APP/LVS/06.03.14.B.T002_2 and EN0110012/APP/LVS/06.03.14.B.T003_1. Additionally, some of the junction visibility analysis drawings submitted at deadline 2 are also in black and white and not colour. Therefore, the applicant should: a) provide swept path analysis drawings demonstrating access and egress can be achieved in both directions where accesses are located along construction routes that could allow such use and if such drawings are not considered necessary, explain why and how the Examining Authority can be satisfied access from only one direction (as shown) would be secured given the construction routes allow movement in both directions b) update and amend the junction visibility drawings that are in black and white so that these are shown in colour. The applicant's response to the LIR reference LIR-NYC-53 [REP2-117] explained that a swept path analysis drawing is not considered necessary for the Wheldrake Lane/ Main Street junction to the east of SDS1 given its existing arrangement and use. Therefore, NYC should: c) advise whether it is agreeable and content with the applicant's position and, if not, give its reasoning.
Q1.14.6	The applicant North Yorkshire Council	**Construction traffic routes and highway improvement works - SDS 3, SDS6 andSDS8** Section 12 of NYC's LIR [REP1-006] notes sections of the proposed construction routes serving SDS3 (Austfield Lane), SDS6 (Common Lane, South Milford) and SDS8 (Common Lane, Hambleton) could be less than 5.5m wide. Whilst the Order limits extend along some of these routes, they do not cover Austfield Lane or a section of highway between eastwards of the second railway bridge between SDS6 and SDS7. The applicant should, therefore: a) explain what measures would be adopted to manage traffic over the section of highway that crosses the railway bridge between SDS6 and SDS7 (or signpost where it can be found in the application documents)

ExQ1	Question to:	Question:
		b) if improvement works are required outside the Order limits, including along Austfield Lane, explain how would they be secured. Additionally, NYC is to: c) confirm whether the broad locations for highway improvement works along the above routes (as identified on the Works Plan [AS-004]) are agreeable (accepting further details would be approved post-consent).
Q1.14.7	Network Rail	**Railway assets and access to SDS8** Two potential access points are proposed to SDS8 which cross Network Rail land. During the construction period an average of 16 trips (4 HGVs and 12 LGVs/ cars) equating to 32 two-way movements (8 HGVs movements and 24 LGV/car movements) per day are predicted in association with SDS8. During the peak construction period these could increase to 28 trips (5 HGVs and 23 LGVs/cars) or 56 two-way movements (10 HGV movements and 46 LGV/car movements per day) according to the information in Tables 14-24 of ES Chapter 14 [REP2-041] and Table 6-3 of ES Appendix 14.1 [REP2-077]. Network Rail is to: a) advise and comment on the suitability and use of the two proposed southern routes whether there is any preference or reason why one or both of these routes should not be used b) provide justification and reasoning to support your position.
Q1.14.8	The applicant North Yorkshire Council	**Construction traffic route - SDS4** Appendix B of the applicant's written summary of oral submissions at ISH1 [REP1-004] contains a note in response to action point ISH1-15 [EV5-010] on why the construction route through West Haddlesey has been chosen over other alternatives. Whilst the conclusions of that note are acknowledged, the route via Gateforth considered in that note differs to that of a proposed construction route to SDS4 via Gateforth and along Hillam Road and Roe Lane shown on ES Figure 14.4 (Sheet 8) [APP-113]. Given that this route has already been identified as suitable for construction traffic the applicant should: a) comment whether the construction route via Gateforth and along Hillam Road and Roe Lane could be used for all construction traffic as an alternative to that through West Haddlesey. If this route is not considered preferable, explain why with reasoning b) explain, if this route were to be used instead of the route through West Haddlesey, what implications would this have on the findings of the assessment NYC is to provide: c) comments on the use of the route via Gateforth and along Hillam Road and Roe Lane for all construction traffic as an alternative to that through West Haddlesey.
Q1.14.9	North Yorkshire Council	**Cable Access Locations** Cable route access locations are identified in table 14-23 of ES Chapter 14 [REP2-041] and whilst no visibility splay assessment has been undertaken of these junctions at this stage, these are located within the Order limits. Paragraphs 3.7.5 of the oCTMP [REP2-103] explains that details of these would be subject to agreement with the Local Highway Authority. With reference to the applicant's response to the LIR reference LIR-NYC-58 [REP2-117], NYC should: a) confirm whether this is an acceptable approach, and that it is satisfied that details could be agreed post-consent, noting the locations of these are within the Order limits b) identify any specific cable access locations where NYC consider further assessment is required at this stage to demonstrate feasibility.
Q1.14.10	The applicant	**Monk Fryston roundabout** Paragraph 14.10.60 of ES Chapter 14 [REP2-041] indicates that construction vehicles and staff trips accessing SDS2, SDS6 and SDS7 are forecast to route via the A63/A162 Monk Fryston roundabout, accumulating to 198 daily two-way movements at this junction. Paragraph 14.15.14 states "The Proposed Development could add 120 movements in total to the A63 Main Street arm of the junction (60 in and 60 out), and 44 movements to the A162 northern arm (22 in and 22 out)". The applicant is to check and explain the difference between the two numbers cited. If this is an error, update and amend the documentation accordingly.
Q1.14.11	The applicant	**Replacement works traffic management** Paragraph 14.10.90 of ES Chapter 14 [REP2-041] states that "…. relevant measures to manage replacement traffic, consistent with the oCTMP are detailed in the oOEMP". Section 2.6 of the oOEMP [REP2-091] only refers to maintenance activities and not replacement works whilst table 3-12 explains that if replacement activities are expected to generate more than 12 HGV movements at a SDS, then a reassessment of transport impacts would be carried out. The applicant should:

ExQ1	Question to:	Question:
		a) update section 2.6 of the oOEMP to explain how measures to manage traffic associated with replacement works would be identified, agreed and secured b) confirm whether the figure of 12 HGVs refers to overall total movements or some other specified period c) explain upon what basis has the 12 HGV figure been determined as a relevant trigger for identifying whether a reassessment is required. What guidance or evidence is this based upon.
Q1.14.12	The applicant North Yorkshire Council	**Footpath 35.59/6/1** Paragraph 13.3 of NYCs LIR [REP1-006] confirms that footpath 35.56/6/1 has been subject of a stopping up order but is still shown on the Figure 13.3 [APP-109]. Given this, NYC is to: a) confirm whether the stopping up order affects the whole route of footpath 35.56/6/1 or part of the route b) provide a plan showing which section of the route is affected and (if any) which remains intact. The applicant is to: c) provide updated figures and documents that reflect the correct status of this route d) confirm whether the proposed closure of this route alters any of the assessment findings such as increased use and potential increase risk and conflicts with users of Common Lane, South Milford as a result of displacement.
Q1.14.13	The applicant North Yorkshire Council	**Permanent diversion of footpath 35.28/3/1** A section of footpath 35.28/3/1 (as shown on Sheet 2 of ES Figure 13.3 [APP-109]) is proposed to be permanently diverted where it passes through the BMA, resulting in the loss of the existing north-south connectivity currently enjoyed by users. The applicant is to: a) explain whether consideration has been given to retaining footpath 35.28/3/1 in-situ rather than its proposed closure (with appropriate fencing or other mitigation measures to minimise potential conflicts between public users and bird habitats) b) if this option has been considered and discounted, explain why it is not considered feasible to retain this route (or signpost to where this can be found in the application documents) NYC is to: c) provide comments and its views on this this matter.
Q1.14.14	The applicant	**Road condition survey** Paragraphs 3.19.1 and 3.19.2 of the oCTMP [REP2-103] explain that a road condition survey would be carried out prior to commencement of construction, with details agreed with NYC prior to a road condition survey being undertaken. On completion of construction activities, a follow-up survey would be undertaken. Explain the mechanism by which this would be agreed and approved and where this is secured?
15.	**Water environment (including Water Framework Directive Assessment and Flood Risk Assessment)**	
Flood risk		
Q1.15.1	The applicant	**The risk from surface water flooding to the development** Paragraph 6.2.18 of the FRA [REP2-079] explains the risk from surface water flooding would be “managed through the detailed siting and design of infrastructure, including by applying the committed Design Principle of 10m from the bank top of all watercourses, minimum panel ground clearances, and the minimum finished floor level and freeboard requirements for flood-sensitive assets”. ES Figure 15.9 [REP2-054] identifies areas of SDS3, SDS4, SDS6, SDS7 and SDS8 at risk of surface water flooding which may be deeper than 0.4m (the minimum panel ground clearance secured in the DPC [REP2-021]) and greater than 10m away from the bank top of watercourses. The applicant is therefore to confirm if solar panels would: • not be sited in these locations as suggested in the FRA • be raised above the identified risk of surface water flooding as suggested at ISH1, and if so, what height that would be • be allowed to flood? The extracts from ES Figure 15.9 below are provided as examples to illustrate this risk.

ExQ1	Question to:	Question:
		 SDS4  SDS6  SDS8
Q1.15.2	The applicant	**Solar panel design flood level** Annex F of the applicant's cover letter submitted at deadline 2 [REP2-001] explains that proposed solar panels at SDS1 would either have their lower edge raised above the design fluvial flood level, or, where this cannot be achieved within the assessed parameters, the layouts would be refined to avoid areas of fluvial flooding. The applicant should: a) confirm the maximum height the lower edge of a proposed solar panel could be raised and remain in the assessed parameters b) confirm the minimum height a proposed tracker solar panel would be when horizontal c) to enable the Examining Authority to understand the spatial extent of SDS1 that could not accommodate raising the lower edge of the proposed solar panels above the design flood level within the assessed parameters, provide a plan identifying such locations and calculate the total affected area in hectares. Annex F of the applicant's cover letter submitted at deadline 2 also explains that the credible maximum scenario should not be interpreted as establishing a design requirement for the lower edge of the proposed solar panels. However, paragraph 6.3.19 of the FRA [REP2-079] explains the bottom edge of the panel would be set above the flood level associated with the design event plus 300mm freeboard or the credible maximum scenario, whichever is greater. Therefore, the applicant should: d) confirm if one of these documents is erroneous and if so, which approach is correct e) if the solar panels are proposed to be raised above the credible maximum scenario flood level, provide a plan identifying locations where this could not be achieved within the assessed design parameters, together with a calculation of the total area affected (in hectares).
Q1.15.3	The applicant Environment Agency	**Loss of flood storage** Paragraphs 6.3.13 and 6.3.20 of the FRA [REP2-079] identify 6,626m^3 and 991m^3 loss of flood storage in the River Ouse and River Aire catchments respectively, due to the proposed development in SDS1, SDS3 and SDS4. Can the applicant confirm if it proposes to provide compensatory storage in accordance with paragraph 5.8.30 or 5.8.31 of NPS EN-1? The Environment Agency is to provide its view on the loss of flood storage and whether opportunities exist to compensate for it.
Q1.15.4	The applicant	**Risk of reservoir flooding** The proposed SDS3 and SDS4 are identified at risk of reservoir flooding. The applicant is to explain what would the consequence of a reservoir failure be for the proposed development, and would flood sensitive equipment remain operational during a flood? If not, could it be quickly brought back into operation without significant refurbishment in accordance with policy F7 of the NPPF? In addition, the applicant is to explain what discussions have been held with the relevant reservoir owner(s) and whether the proposed development increases risks that would require the reservoir owners to increase their standard of protection, in accordance with paragraph 5.8.18 and footnote 191 of NPS EN-1.

ExQ1	Question to:	Question:
Q1.15.5	The applicant Environment Agency	**Reservoir at Wistow** Considering the reservoir referred to in the Environment Agency's representation [REP1-019], both parties are to collaborate to confirm the following: • what is the current condition of the relevant defences • what is the likelihood of issues occurring during the construction phase of the proposed development • how could foreseen issues be avoided or what mitigation is proposed • what additional mitigation would be required should shifting or cracking of the defences occur and what delay would this have to the construction phase • what the consequence would be if a defence associated with the reservoir failed
Q1.15.6	The applicant	**Figure 15.10** ES Figure 15.10 revision 1A submitted at procedural deadline A [PDA-011] identifies areas at risk of rivers and sea flooding including climate change for years 2070 to 2125. Revision P02 submitted at deadline 2 [REP2-055] identifies different areas at risk of flooding with climate change and does not provide a relevant time period. The applicant is to explain why these revisions differ, and to confirm if they use the same dataset to identify the risk of flooding from climate change?
Q1.15.7	The applicant	**Direct rainfall modelling figures** ES Figure 15.23 revision P02 submitted at deadline 2 [REP2-065] identifies a much larger area at risk of flooding than revision P01 [APP-137]. The same observation is made for all 15.23 figures submitted at deadline 2 when compared to those submitted when the application was accepted. The applicant is to explain why these figure revisions differ, and confirm if the same dataset was used?
Q1.15.8	The applicant	**Cable corridor – fluvial risk** Paragraph H.2.33 of the FRA [REP2-079] explains ES Figure 15.15 [REP2-057] identifies "a small area of the northern corner of Compound 2 lies within the modelled flood extent the design event". ES Figure 15.15 appears to only identify SDS compounds and not cable construction compounds. The applicant should clarify the specific sheet of ES figure 15.15 that the aforementioned paragraph is referring to or update the figure to identify all construction compounds relative to the risk of fluvial flooding.
Drainage		
Q1.15.9	The applicant	**Surface water drainage** The proposed development would introduce many impermeable elements (solar panels and supports, smaller electrical infrastructure associated with solar panels, substations, BESS area, access tracks, etc) which could potentially have important drainage impacts locally and cumulatively if not addressed on each site. The oDS [REP2-085] provides little quantification of the impact of the proposed development on surface water runoff or the sustainable drainage systems (SuDS) proposed. The oDS proposes to discharge surface water to ground in the first instance which would be subject to further investigations. However, the Examining Authority notes from the ES that infiltration may not be feasible due to ground conditions, the presence of groundwater and the need to protect groundwater bodies. In these circumstances, the oDS proposes to discharge surface water to watercourses. However, it does not identify the receiving watercourse for each proposed impermeable area or assess the catchment's suitability to accept the discharge. Section 5.2 of the oDS explains that, should a discharge to a ground or surface waterbody be unachievable, then the drainage hierarchy would be followed and a discharge to the public sewer network would be considered as the final resort. However, the Examining Authority notes that annexes A to G of the FRA [REP2-079] state "no existing sewers or private drainage systems have been identified" within any of the proposed solar development sites. It is therefore not clear from the oDS how surface water runoff from the proposed development would be managed to prevent increasing flood risk elsewhere and demonstrate compliance with paragraph 5.8.15 of NPS EN-1. Therefore, the applicant is to: a) provide a high-level calculation of the effect of all impermeable areas for each solar development site, setting out the existing rates and volumes of surface water run-off generated by the site and their existing catchments b) provide outline drainage layouts for each site showing potential SuDS discharge points or connections with existing drainage features, the type of drainage features that could be used and exceedance routing c) explain how the proposed SuDS have been integrated with other aspects of the proposed development such as open space or green infrastructure, and describe the multifunctional benefits they would provide.

ExQ1	Question to:	Question:
Q1.15.10	The applicant	**Solar panel runoff** Section 5.3 of the oDS [REP2-085] sets out that solar panels would drain freely onto the surrounding vegetated ground with no introduction of hard infrastructure such as pipework, manholes or storage features. Furthermore, that grass or wildflower cover would be present across the proposed solar panel areas. The applicant is to: a) confirm what assessment of the soil type and topography has been undertaken to conclude runoff from the proposed solar panel areas would not have adverse effects on discharge rates, soil erosion and siltation deposition b) explain to what extent tracking solar panels would affect the ground cover due to the vegetation receiving (presumably) significantly less sunlight.
Q1.15.11	The applicant	**Drainage of access roads** The oDS [REP2-085] does not clearly differentiate between temporary and permanent access roads and internal roads. Furthermore, the oDS does not appear to calculate runoff volumes for proposed roads or alteration of existing public and private roads and seems to provide flexibility for impermeable surfaces at detail design. In addition, the applicant's response to representation reference IDB-11 [REP2-109] explained surfacing would be permeable where feasible and where high flows or overtopping are possible, more robust or reinforced surfaces may be required. The applicant is to review the oDS to provide clarity between temporary and permanent access roads and internal roads; and review the DPC [REP2-021] and oCEMP [REP2-089] to ensure consistency.
Q1.15.12	The applicant Lead Local Flood Authority Environment Agency Ouse and Derwent Internal Drainage Board The Selby Area Internal Drainage Board	**Existing land drainage** Paragraph 5.7.10 of the oDS states "Where land use changes from agricultural use to solar PV, existing agricultural land drainage systems would no longer be required. Where there is the potential for interaction with existing land drains that are required to be retained, their locations would be identified through pre-construction surveys and measures implemented to avoid, protect and/ or divert them where practicable". This suggests that existing land drainage systems may be removed, or not protected, during the lifetime of the proposed development, unless identified as required to be retained. All parties are to provide a view on what extent this could affect the water environment and whether removal or alterations to agricultural land drainage systems should be included in drainage plans to be submitted and approved through requirement 10 of the draft DCO?
Q1.15.13	The applicant Lead Local Flood Authority Environment Agency Ouse and Derwent Internal Drainage Board The Selby Area Internal Drainage Board	**Planting near watercourses** The updated DPC [REP2-021] submitted at deadline 2 states that "planting within the 10m buffer of Ouse and Derwent IDB watercourses will only be on one side of the watercourses and will be on the side that the IDB don't work from". Parties are to provide a view whether the same, or similar, commitment should be made for all other watercourses?
Q1.15.14	The applicant Environment Agency	**Substation drainage** The applicant's response to the Environment Agency's representation reference EA13 [REP2-109] explained that the proposed drainage network would incorporate appropriate means of isolation to prevent the uncontrolled release of potentially contaminated water to surface or ground waters and the associated firewater containment measures and capacity would be determined at detailed design. To demonstrate the water environment would be sufficiently protected during a fire event, the applicant is to: a) quantify the volume of firefighting water that would be required and demonstrate how and where that would be contained b) explain why the BESS drainage mitigation measures set out in table 3-13 of the oOEMP [REP2-091] are not relevant for fire events at a proposed substation In relation to its representation on this matter, the Environment Agency is to: c) confirm if it is principally concerned with the proposed substation at SDS4 due to the underlying strata, or if the same concerns apply to SDS1 and SDS2.
Water resources		
Q1.15.15	The applicant	**BESS cooling system** The Water Resource Assessment [REP2-107] explains that the BESS cooling systems implemented would be closed loop and therefore would not result in significant consumptive water use. Can the applicant signpost where the commitment to a closed loop system is set out within the application documents?

ExQ1	Question to:	Question:
Q1.15.16	The applicant	**Watercourse crossing assessment** Paragraphs 7.4.15 to 7.4.20 of the Water Environment Regulations Assessment [REP2-081] identify several proposed watercourse crossings on the same waterbody or within the same catchment, each of which is assessed as resulting in minor or negligible effects. The applicant is to: a) signpost where the combined or cumulative effects of these crossings have been considered within the assessment Similarly, table 15-21 of ES Chapter 15 [REP2-043] identifies several projects which have a potential for cumulative impacts from coinciding construction and operation phases. The applicant is to: b) signpost where the effects of cumulative watercourse crossings across all projects for each waterbody or catchment have been considered within the assessment.
Q1.15.17	The applicant Canal and River Trust Environment Agency	**Watercourse crossing depth** The Canal and River Trust is to: a) provide further reasoning for requesting, in its relevant representation [RR-0177], a minimum 5m cable crossing depth for the River Ouse including the risk and implications if lower depths were used The Environment Agency is to: b) provide a view on the requested 5m cable crossing depth and whether potential interactions with ground waterbodies would be a concern The applicant is to: c) explain why the 50m offset from the bank top for all watercourses only appears committed to for the proposed solar generating stations (Work No.1) and the BESS (Work No.2), as set out in the DPC [REP2-021] d) explain why this commitment is not extended to the proposed construction works (e.g. oil and fuel storage, stockpiles, HDD entry and exit pits etc).
Q1.15.18	The applicant	**Haul road culvert crossings** Paragraph 5.3.7 of the Water Environment Regulations Assessment [REP2-081] explains that culverts required for the proposed haul roads were assumed to be in place for a maximum of 2 years as a worst case for the purposes of the assessment. The applicant is to explain how this 2 year period is secured in the draft DCO.
Q1.15.19	The applicant	**Hydrogeological impact assessment** The oCEMP [REP2-089] states “A Hydrogeological Impact Assessment will be prepared (as required)”. The applicant is to explain what is meant by “as required” and how this would be determined and by whom.
16.	**The draft Development Consent Order**	
Q1.16.1	The applicant	**Explanatory Memorandum** Paragraph 1.5.3 of the Explanatory Memorandum [REP2-007] states “Outside of the main construction period, there will be commissioning and connection to the National Grid. The timing of these works is dependent on National Grid”. To what extent does this relate to Work No.4 and what implications would this have on the construction period?
Q1.16.2	The applicant	**Battery energy storage system** The applicant is to explain: a) what prevents the undertaker only constructing and operating the proposed BESS and not the proposed solar development sites? b) whether the draft DCO could be amended to control the operation of the proposed BESS prior to the final commissioning of the proposed solar development sites to secure it as associated development?
Q1.16.3	The applicant	**Typographical and formatting errors** There are several typographical and formatting errors within the draft DCO which require attention. Examples include: • schedule 4 where it reads "0on sheet..." instead of "on sheet...". There are 53 separate examples of this error. • schedule 5 where it reads "Vehicular access form the A63..." instead of "from the A63". • schedule 7 where it reads "Cl A63" instead of "the A63" or "A63".

ExQ1	Question to:	Question:
		• There are also instances where table formatting breaks extend across pages resulting in descriptions appearing on separate rows/ pages. This can make it difficult for the reader to follow. The applicant is to check and amend these errors as well as check the draft DCO for any similar such typographical errors or formatting issues.
Q1.16.4	The applicant	**Incorrect road name references - Skipwith Road and Phillip Lane** Within schedule 5 there are references to 'Philip Lane' and 'Skipworth Road' instead 'Phillip Lane' and 'Skipwith Road'. The applicant is to check and amend these errors as well as check the draft DCO for any similar such typographical errors.
Articles		
Q1.16.5	The applicant	**Article 2 – Interpretation** The applicant is to: a) review and amend the drafting to include the title, in brackets, for each instance an article or schedule is referenced b) update the Explanatory Memorandum [REP2-007] to explain why it is necessary to include a definition of "applicable period" and why paragraph 1(1) of schedule 2 includes this term rather than "5 years from the date of the Order"? The response should identify any precedent for the approach c) consider amending the definition of authorised development to "means the development described in Schedule 1 (authorised development) and any other associated development within the meaning of section 32 (meaning of "development") of the 2008 Act authorised by this Order" d) consider amending the definition for "date of final commissioning" so it includes associated development elements not only energy generating e) explain what is meant by "commercial basis" in the definitions for "commercial use" and "date of final commissioning" f) consider amending the definition of "outline drainage strategy" to "means appendix 15.4 of the environmental statement and the document of that name identified in the table at schedule 13 and which is certified by the Secretary of State as the outline drainage strategy for the purposes of this Order" g) provide justification for article 2(10) including "the avoidance, removal or reduction of an assessed…positive environmental effect" in the context that weight may have been given to that positive effect by the Secretary of State when determining the application for the proposed development.
Q1.16.6	The applicant	**Article 2(3) – Interpretation** The applicant is to review the draft DCO to identify and consider amending instances of unnecessary repetition of similar drafting to that already defined in article 2(3). For example, article 7, article 10, article 12, article 13, article 16, and schedule 3.
Q1.16.7	The applicant	**Article 3(1) – Development consent etc. granted by this Order** Explain whether, for clarity, the drafting should be updated to include the underlined words as follows: "Subject to the provisions of this Order and the requirements <u>in Schedule 2</u> (requirements), the undertaker is granted development consent for the authorised development <u>in Schedule 1</u> to be carried out within the Order limits."
Q1.16.8	The applicant	**Article 5 – Power to maintain the authorised development** The drafting of this article does not follow best practice, therefore the applicant is to consider an amendment to include the underlined words as follows: 5(2) This article only authorises the carrying out of maintenance <u>works</u> within the Order limits 5(3) This article does not authorise the carrying out of any maintenance <u>works</u> which are likely to give rise to any materially new or materially different effects that have not been assessed in the environmental statement.
Q1.16.9	The applicant	**Article 5 – Power to maintain the authorised development** a) Confirm whether the definition of 'maintain' in article 2 would, in the absence of an output capacity limit for Work No. 1, allow the replacement of the consented project with what is effectively a different project. b) If so, explain how this reflects the relevant section of the Planning Inspectorate's Advice Note Fifteen?
Q1.16.10	The applicant	**Article 6 – Disapplication and modification of legislation, etc.** The Explanatory Memorandum [REP2-007] provides limited information regarding the reasons for disapplying any of the provisions specified in article 6. The applicant is to provide, or signpost where it can be found in the application documents: a) justification that paragraphs (2) and (4) of article 6 are necessary, specifically in the circumstances of the proposed Light Valley Solar development b) justification that each provision identified in schedule 3 of the draft DCO is relevant in the particular circumstances of the proposed Light Valley Solar development, and how this relevance is demonstrated if the "list has been prepared taking a precautionary approach" as stated in paragraph 4.2.22 of the Explanatory Memorandum

ExQ1	Question to:	Question:
		c) evidence that the views of any relevant authority or government department which has responsibility for the provisions that would be disapplied or modified have been sought, and the relevant regulator agrees where such consent or authorisation is prescribed d) an explanation of the implications for the proposed development if consent is not obtained from the relevant authority for having the relevant provision disapplied or modified e) confirmation if the provisions sought to be disapplied or modified relate to the permitted preliminary works.
Q1.16.11	The applicant	**Article 6(3) – Disapplication and modification of legislation, etc.** The applicant is to provide, or signpost where it can be found in the application documents: a) confirmation whether the modification of the Regulation 6(1) of the Hedgerows Regulations 1997 would extend beyond the hedgerows identified in schedule 12 of the draft DCO and if the drafting could provide clarity and certainty of this b) what is meant by "exercise of any functions" and where this is defined.
Q1.16.12	The applicant	**Article 7 – Defence to proceedings in respect of statutory nuisance** Paragraph 4.2.23 of the Explanatory Memorandum [REP2-007] explains that there is no statutory nuisance expected as a result of the authorised development. Given that statement, can the applicant explain why this article is necessary, or confirm it can be deleted.
Q1.16.13	The applicant	**Article 8 - Street works** Confirm if paragraphs (1)(c) and (d) should refer to "in or under" or should only be "under".
Q1.16.14	The applicant North Yorkshire Council	**Article 9 - Application of the permit scheme** The Explanatory Memorandum [REP2-007] explains that the intention of article 9 is "ensuring that the permit schemes are not an impediment to the delivery of the authorised development". The applicant is to: a) confirm if article 9 only applies to the streets identified in schedule 4 of the draft DCO b) explain if the powers were limited to use prior to the date of final commissioning and during decommissioning, would this still achieve the aim of article 9? c) review paragraph 4.3.2 in the Explanatory Memorandum [REP2-007] and revise to: • explain what is meant by "located across three administrative areas" • improve general clarity. NYC should: d) provide its view on how article 9 would work in practice in its currently drafted form, and whether restricting the power to use only on certain roads, prior to the date of final commissioning and during decommissioning would be a more suitable outcome.
Q1.16.15	The applicant North Yorkshire Council	**Article 10 - Power to alter layout, etc., of streets** The power in article 10 authorises alteration etc. of any street within and beyond the Order limits. The Explanatory Memorandum [REP2-007] does not explain why this wide general power is needed and reliance on precedent is insufficient justification. The applicant should explain, in the particular circumstances of the proposed Light Valley Solar development: a) why it requires power to alter any street, including ones outside the Order limits, rather than those streets identified in the relevant schedules? b) would paragraph (2) enable the undertaker to fell, lop or remove hedgerows and trees? c) under what circumstances paragraph (5) would be relevant? d) whether article 47 (Procedure in relation to certain approvals etc.) would be applicable to article 10 and if so, provide justification for this? NYC should: e) provide its view on how article 10 would work in practice in its currently drafted form and whether the deemed consent provision of article 47(4) is appropriate for article 10(2).
Q1.16.16	The applicant North Yorkshire Council	**Article 11 - Construction and maintenance of altered streets** The applicant is to explain: a) as construction is set to last up to 3 years, does article 11(1)(b)(ii) mean that a street altered in the early construction phase would need to be maintained at the Council's expense for the second and third years of the construction period and thereafter? b) what is the mechanism for the street authority to inspect and confirm any alteration is to its satisfaction?

ExQ1	Question to:	Question:
		c) as the definition of "permitted preliminary works" in its currently drafted form includes Work No. 8, does article 11(1)(b)(ii) mean that a street altered prior to the commencement of construction would need to be maintained at the Council's expense prior and during the construction phase? d) whether article 11(1)(b)(ii) means that a street altered for the purposes of replacement works during the operation phase would need to be maintained at the Council's expense for the duration of the replacement works that last longer than 12 months? e) For the above three questions, provide justification for the associated financial liability that would be imposed by article 11 on the Council. Both parties should: f) provide its view on a potential amendment to article 11(1)(b)(i) that requires the undertaker to maintain the streets it alters for the entire duration of the construction phase and replacement works plus a subsequent 12 months.
Q1.16.17	The applicant	**Article 12 - Temporary and permanent closure, restriction or prohibition of use or stopping up of streets and public rights of way** The applicant is to explain, in the particular circumstances of the proposed Light Valley Solar development: a) what it means by "for any reasonable time" in paragraph (1), as those words are not defined or qualified. Should the drafting be changed to limit this power? b) why it requires power to temporarily close, prohibit the use of, restrict the use of, stop up, alter or divert any street or public right of way, rather than those streets identified in the schedule 6? c) why paragraph (2) only provides access for pedestrians and not for other street or public right of way users? d) the justification for the inclusion of "without prejudice to the generality of paragraph (1)" in paragraphs (4) and (5), and clarify if this phrase is intended to prevent the argument of ejusdem generis and preserve the wider interpretation? e) why it requires the power sought in paragraph (6)(b) to permanently close, prohibit the use of, restrict the use of, stop up, alter or divert any other street or public right of way, rather than those identified in the schedule 6? f) the justification for use of any street or public right of way which has been temporarily closed or restricted as a temporary working site as provided for in paragraph (8)? Where is the need established to have a temporary working site in a specific location(s) and where is "temporary working site" defined?
Q1.16.18	The applicant	**Article 13 - Use of private roads** The applicant is to explain: a) under what circumstances an undertaker would invoke article 13 to use, rather than compulsorily acquire or temporary possess, private roads in the Order limits? b) how are these circumstances controlled in the draft DCO to ensure affected persons would be compensated for the associated disruption and the repair of the private road? c) how the value of compensation, referred to in paragraph (2), would be calculated and whether a commitment to pre- and post-condition surveys would be appropriate?
Q1.16.19	The applicant North Yorkshire Council	**Article 14 - Access to works** To explain whether the provision in paragraph (c) should be clarified to not authorise any access which is likely to give rise to any materially new or materially different effects in comparison with those assessed in the environmental statement?
Q1.16.20	North Yorkshire Council	**Article 16 - Traffic regulation measures** NYC is to provide its view on whether the minimum notice publication period of 7 days is sufficient, and whether the notice needs to be extended to digital publication and/ or site notifications.
Q1.16.21	The applicant North Yorkshire Council Lead Local Flood Authority Ouse and Derwent Internal Drainage Board The Selby Area Internal Drainage Board	**Article 17 – Discharge of water** All parties are to provide a view on whether article 17 should, for certainty and clarity, reference that any discharge of water should be in accordance with the approved surface water drainage scheme and foul water drainage scheme. The applicant should explain why article 17 does not include a reference to harbour authorities as there appears to be a harbour authority for the River Ouse under The Yorkshire Ouse (Pilotage Powers) Order 1998. Consider whether an update to the current drafting is required.
Q1.16.22	The applicant	**Article 18 – Removal of human remains**

ExQ1	Question to:	Question:
		The applicant is to confirm and provide evidence, or signpost where it can be found in the application documents, if there are any burial grounds or consecrated land in the Order limits.
Q1.16.23	The applicant	**Article 19 – Protective works to buildings** The applicant is to review article 19(5)(c) and consider if "or" should be added to the end that paragraph.
Q1.16.24	The applicant North Yorkshire Council	**Article 20 – Authority to survey and investigate the land** Article 20 includes the provision to "enter on any land shown within the Order limits or enter on any land which may be affected by the authorised development or enter on any land upon which entry is required in order to carry out monitoring or surveys in respect of the authorised development". This is a broad power without time limits or control measures. The applicant is to: a) identify the land outside of the Order limits that may be affected by the proposed development b) identify the land outside of the Order limits that would be required to carry out monitoring or surveys in respect of the proposed development c) explain, if land outside of the Order limits is required for the authorised development or to facilitate, or as is incidental, to it, why has such land not been included in the Order limits or power to possess temporarily sought d) explain what surveys and monitoring would be needed on land outside of the Order limits e) consider and suggest how the power sought by article 20 could be better controlled than currently drafted NYC should: f) provide its view on how article 20 would work in practice in its currently drafted form.
Q1.16.25	The applicant	**Article 37 – Consent to transfer the benefit of the Order** The applicant should explain: a) if paragraph (1) should be drafted as "Subject to the powers of this Order paragraph (3), the undertaker may—"? b) if paragraph (2) should be drafted to include reference to paragraphs (7) and (8)? c) why the power in paragraphs (1)(a) and (3)(b) to transfer the on-going management of the bird mitigation area (Work No. 9B) to a separate entity is necessary and how the on-going management would be secured if that entity ceased to exist? d) how there can be certainty that a transferee could cover the cost of decommissioning? e) if paragraphs (3)(c)(ii) to (v) would be improved by drafting as "any such claims"? f) if paragraph (5) should include the provision of "a copy of the document effecting the transfer or grant"? g) in context of the proposed Light Valley Solar development, why paragraph (6) includes for 10 working days when made Orders typically include 14 working days? h) if article 37 should include a provision for a copy of any decision by the Secretary of State to approve a transfer or grant under paragraph (3) or the notification of a transfer or grant issues under paragraph (4) to be provided by the undertaker to the relevant planning authority?
Q1.16.26	The applicant North Yorkshire Council	**Article 39 – Planning permission, etc.** The applicant should: a) explain whether paragraph (1) would allow the undertaker to make changes to the authorised development without applying to the Secretary of State through section 153 of the Planning Act 2008, and if so, why this is justified? b) consider if paragraph (3)(a) should be amended to include a situation where a planning permission granted under the 1990 Act remains implementable, but the proposed Light Valley Solar development does not? c) provide justification for the broad provision of paragraph (3)(b) that would prevent enforcement action related to a planning permission granted under the 1990 Act outside of the Order limits. Consider if the drafting should be amended to limit the provision. d) confirm if paragraph (4) would apply if a planning permission granted under the 1990 Act sterilises land in the Order limits, occupies land subject to compulsory acquisition, or physically blocks or prevents the delivery of a proposed Work No.? e) explain why article 39 is required in relation to the Ferrybridge Next Generation Power Station, as stated in paragraph 4.6.14 of the Explanatory Memorandum [REP2-007], and how the current drafting achieves this. NYC is to: f) provide its view on how article 39 would work in practice in its currently drafted form and in context of the questions above to the applicant.
Q1.16.27	The applicant	**Article 40 – Felling or lopping of trees and removal of hedgerows**

ExQ1	Question to:	Question:
		The applicant is to explain what is meant by “near” in paragraph (1) and should this be better defined? For example, “Subject to paragraph (2) and article 40 (trees subject to tree preservation orders) the undertaker may fell or lop any tree or shrub within or overhanging the Order limits or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree or shrub from—"
Q1.16.28	The applicant North Yorkshire Council	**Article 41 – Trees subject to trees preservation orders** The inclusion of "decommissioning" in paragraph (1) may broaden the interference that may be undertaken to trees protected by a tree preservation order in the future. The applicant should explain: a) what justification is there for extending the power beyond construction, maintenance and operation, and how is it demonstrated that such an extension is reasonable, necessary and proportionate, particularly given the potentially significant period that may elapse before any decommissioning activities occur b) paragraph (2)(b) removes the application of section 206(1) of the 1990 Act (replacement of trees) in relation to an activity authorised by paragraph (1). If trees subject to preservation orders made after the date of the DCO, if made, were felled, how would this be mitigated and where is this mitigation secured? NYC should c) provide its view on how article 41 would work in practice in its currently drafted form.
Q1.16.29	The applicant	**Article 42 – Certification of plans and documents, etc.** The applicant should: a) explain whether the references to Parts 1 and 2 in paragraphs (1) and (2) are errors, and thus should be removed? The Examining Authority notes schedule 13 does not appear to contain “parts” of different documents Paragraphs (2) and (3) would appear to enable the undertaker to submit plans and documents for certification which were not submitted during the examination. The applicant is, therefore, to: b) explain why these provisions are necessary in the particular circumstances of the proposed Light Valley Solar development.
Q1.16.30	The applicant	**Article 43 – No double recovery** The applicant is to explain why it is necessary to include “or under two or more different provisions of this Order”. Paragraph 4.6.20 of the Explanatory Memorandum [REP2-007] incorrectly suggests precedent for this drafting is included in several made Orders.
Q1.16.31	The applicant North Yorkshire Council	**Article 47 – Procedure in relation to certain approvals etc. and Schedule 16 – Procedure for discharge of requirements** The applicant is to: a) provide, or signpost where it can be found in the application documents, that all organisations that would become requirement consultees agree with the drafting of article 47 and schedule 16 b) identify where the current drafting of schedule 16 does not align with the Planning Inspectorate’s Advice Note Fifteen and justify each instance in the particular circumstances of the proposed Light Valley Solar development, for example paragraph (4)(2) does not include a timeline for an appeal to be made by the undertaker and has amended other stated timelines. NYC is to provide its view on: c) whether the provision of 10 working days to decide whether it needs further information, as stated in schedule 16, paragraph (3)(2), is sufficient and achievable d) whether the provision in paragraph (3)(3) of schedule 16 is achievable where it states “the relevant planning authority must issue the consultation to the requirement consultee within 5 working days of receipt of the application, and must notify the undertaker in writing specifying any further information the relevant planning authority considers necessary or that is requested by the requirement consultee within 5 working days of receipt of such a request”? The response should consider the Environment Agency’s view on this matter and the applicant’s response to relevant representations [REP2-109], reference EA58 e) the appropriateness of fees set in paragraph 5 of schedule 16 f) the provision of article 47 and schedule 16 that allow for a deemed approval of applications not responded to within 6 weeks, and any effect this might have considering such applications.
Q1.16.32	The applicant	**Article 48 – Guarantees in respect of payment of compensation** The applicant is to explain why paragraph (2) does not list the provisions of article 29 – Acquisition of subsoil only and article 30 – Rights under street?

ExQ1	Question to:	Question:
Schedule 1 – Authorised development		
Q1.16.33	The applicant	**Paragraph 1** The applicant is to consider: a) if this paragraph is missing the title "Interpretation". b) if the following terms should be defined to provide clarity: • Inverter • Switch room
Q1.16.34	The applicant	**Paragraph 2** The applicant is to explain whether Work No. 2 (e) is referring to disaggregated conversion units and if so, consider if this could be better defined to avoid any confusion with the same elements listed in (d).
Q1.16.35	The applicant	**Temporary construction and decommissioning laydown areas** Work no. 7 provides for the proposed temporary construction and decommissioning laydown areas, and these are defined on the submitted Work Plans [AS-004] at the proposed SDSs and along the cable route corridor. Work No.5 (e) also provides for proposed temporary construction and decommissioning laydown areas however these are not defined thus could be anywhere in land identified for that work number on the Work Plans. The applicant is to: a) signpost where it can be found in the application documents that the siting of the temporary construction and decommissioning laydown areas anywhere in land identified for work no. 5 demonstrates the requirement to consider alternatives as explained in ES Chapter 3 [REP2-029] b) confirm whether the temporary construction and decommissioning laydown areas of work no. 7 would be sufficient for facilitating work no. 5? If not, then a detailed justification is to be provided why these provisions are necessary in the particular circumstances of the proposed Light Valley Solar development, including why more land was not identified for work no.7. Work no. 6 provides for proposed **secondary** temporary construction and decommissioning laydown areas, however this term is not defined. The applicant is to: c) explain what is meant by secondary temporary construction and decommissioning laydown areas and consider how this could be defined in the draft DCO d) confirm whether the temporary construction and decommissioning laydown areas of work no. 7 would be sufficient for facilitating work no.6? If not, then a detailed justification is to be provided why these provisions are necessary in the particular circumstances of the proposed Light Valley Solar development, including why more land was not identified for work no.7.
Schedule 2 - Requirements		
Q1.16.36	North Yorkshire Council	**Use of the word "substantially"** Requirements 6 to 20 of schedule 2 require approval of detailed documents to "be substantially in accordance with…" the outline version of the said document. The Examining Authority is concerned that inclusion of the word "substantially" provides flexibility that is not justified and notes that the Environment Agency has also commented on this issue in its relevant representation [RR-0419] and written representation [REP1-019]. The applicant's response to the Environment Agency's comments is set out in its deadline 2 submission [REP2-118]. NYC is to provide a view on the inclusion of the term "substantially" in schedule 2 of the draft DCO, including the implications its use may have when determining applications to discharge requirements and when seeking to secure or enforce commitments in outline certified documents.
Q1.16.37	The applicant North Yorkshire Council	**Certainty of the authorised development** Several of the requirements require the implementation of the relevant mitigation or management plan but would not expressly secure its ongoing maintenance throughout the lifetime of the proposed development. Parties are to comment on whether the inclusion of the underlined text in the example below, or comparable drafting, would provide greater certainty if applied to the relevant requirements within schedule 2: "Any bird mitigation area management plan approved under sub-paragraph (1) must be implemented as approved <u>and thereafter maintained and adhered to throughout the duration of the authorised development</u>".
Q1.16.38	The applicant North Yorkshire Council	**Permissive paths**

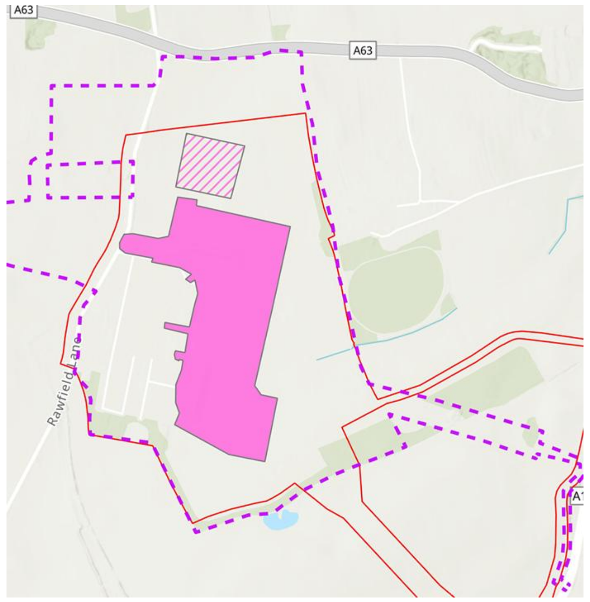
ExQ1	Question to:	Question:
		Requirements 6(4) and 16(5) provide that permission for the public to use permissive paths ceases on the date of decommissioning for that part of the authorised development. Parties are to comment on whether the drafting should clearly secure the continued availability of permissive paths for public use throughout the lifetime of the authorised development and until all affected streets and public rights of way would be open to the public. Your response may include suggested drafting for the draft DCO.
Q1.16.39	The applicant North Yorkshire Council	**Requirement 1 – Commencement of the authorised development** Requirement 1 of schedule 2 includes for details of construction phasing to be submitted to the relevant planning authority. However, unlike phasing requirements in other made solar DCOs, it does not include a definition of phase or phasing (or parts thereof), does not require the submitted phasing scheme or timetable to be approved in writing by the local planning authority or implemented as submitted, and does not use terminology in requirement 1(4) consistent with that in requirement 1(2) and 1(3). Both the applicant and NYC should provide a view on requirement 1 in terms of: a) how the revised wording complies with the relevant section of the Planning Inspectorate's Advice Note Fifteen b) a drafting amendment to include a definition of phasing (to include 'part' or 'parts' of phases) c) the need for the approval, in writing, of the local planning authority to phasing schemes and timetables d) a drafting amendment to secure implementation of the approved phasing schemes and timetables e) the use of consistent terminology throughout the requirement.
Q1.16.40	The applicant North Yorkshire Council	**Requirement 2 – Approved details and amendment to them** Both the applicant and NYC should: a) provide a view on adding the following text to requirement 2 for the purposes of certainty that any approval etc. is provided in writing: "Where under any of the requirements the approval, agreement or confirmation of the relevant planning authority is required, that approval, agreement or confirmation must be provided in writing" The applicant should explain whether: b) requirement 2(1) of schedule 2 allows for the amendment to any certified document under article 42 and to provide a view on including a specific exclusion for the Book of Reference and Land, Crown Land and Special Category Land Plan documents. The response can include proposed amended drafting for the draft DCO.
Q1.16.41	The applicant	**Requirement 3 – Community Liaison Group (CLG)** This requires a CLG to be established before commencement of the proposed development, that would meet until the date of final commissioning. However, requirement 3 does not secure the continued operation of the CLG during the operation, maintenance and replacement activities, or decommissioning. The oDEMP [REP2-093] and the outline Pollution and Spillage Response Plan [REP2-099] confirm that a community liaison officer would be appointed during decommissioning. The Examining Authority considers that the CLG should remain active throughout the key phases of the development, up to and including decommissioning. The applicant should explain whether or not amendments are necessary to requirement 3, to include the underlined words and omit the struck through words, as follows (or to propose comparable drafting): "(1) Prior to the commencement of the authorised development the undertaker must submit to the relevant planning authority for approval <u>in writing</u> the terms of reference for a community liaison group whose aim is to facilitate liaison between representatives of people living in the vicinity of the Order limits and other relevant organisations in relation to the construction<u>, operation and decommissioning (as relevant)</u> of the authorised development." "(3) The community liaison group is to continue to meet until ~~the date of final commissioning of the authorised development~~ <u>decommissioning has been completed pursuant to the approved decommissioning environmental management plan for the final part of the authorised development to be decommissioned</u> unless otherwise agreed <u>in writing</u> with the relevant planning authority."
Q1.16.42	The applicant	**Requirement 7 – Bird mitigation area management plan** Requirement 7(3) reads "(3) (3) Any bird mitigation area…" and so contains a duplicate sub-paragraph. The applicant is to amend the draft DCO as necessary.
Q1.16.43	The applicant North Yorkshire Council Lead Local Flood Authority Environment Agency	**Requirement 10 – Surface and foul water drainage** The applicant's response to relevant representation reference IDB-12 [REP2-109] explained that if a drainage strategy was deemed necessary by the Ouse and Derwent Internal Drainage Board due to the duration of the proposed temporary works, the protection provisions in part 3 of schedule 15 in draft DCO [REP2-004] would facilitate this. The Examining Authority's understanding is these protective provisions would only apply to drainage works within 7m to 9m of a watercourse, as defined in paragraph 20, part 3 of schedule 15.

ExQ1	Question to:	Question:
	Ouse and Derwent Internal Drainage Board The Selby Area Internal Drainage Board	Parties are to provide a view on: a) whether requirement 10 of schedule 2 in the draft DCO should explicitly require a drainage plan for the construction and operation phases of the proposed development, to be submitted and approved in writing by the planning authority b) whether the relevant planning authority must consult with the Lead Local Flood Authority, Internal Drainage Board and the Environment Agency before determining an application for approval of the final surface and foul water drainage details. An example of such drafting is contained in requirement 16 of schedule 2 in the Dogger Bank South East and West Offshore Wind Farms Order 2026.
Q1.16.44	The applicant North Yorkshire Council Historic England	**Requirement 11 – Archaeology** Parties should provide a view on whether Historic England and NYC's lead archaeologist should be consulted on any amendments to the Archaeological Mitigation Strategy that may be submitted under requirement 2 of schedule 2.
Q1.16.45	The applicant North Yorkshire Council	**Requirement 15 – Operational noise** Parties should provide a view on whether the drafting should be amended as below, for the purpose of clarity: (1) No part of Work Nos 1, 2 or 3 may commence until an operational noise management ~~plan~~ assessment containing details of how the design of that part of that numbered work has incorporated ~~the operational~~ mitigation measures to ensure the operational noise rating levels set out in table 2-2 of appendix 11.3 of the environmental statement and the outline operational environmental management plan are complied with for that part has been submitted to and approved by the relevant planning authority.
Q1.16.46	The applicant	**Requirement 16 – Public rights of way** Requirement 16(5) refers to the 'the public rights of way and permissive paths management plan' whereas the proposed certified document in Schedule 13 is 'outline public rights of way management plan'. The applicant is to provide clarification and amend the draft DCO as necessary.
Q1.16.47	The applicant North Yorkshire Council Natural England	**Requirement 17 – Soil management and Requirement 19 – Decommissioning and restoration** Parties are to provide a view whether NE should be a consultee to an application for approval of a submitted soil management plan and/ or decommissioning environmental management plan.
Q1.16.48	The applicant	**Requirement 19 – Decommissioning and restoration** Revised requirement 19 includes reference to 'part' or 'parts' of the works. The proposed revisions to requirement 1 include reference to 'phase' or 'phases' of construction. The applicant is to provide a view on the consistency of the terms used in requirement 1 and requirement 19 and provide amended drafting as necessary.
Schedule 5 – Alteration of Streets		
Q1.16.49	The applicant	**Black Lane and Fryston Common Lane** Part 2 of schedule 5, and schedule 8 contain duplicate entries for proposed works associated with Black Lane and Fryston Cmmon Lane. These are follows: • Black Lane – works between reference points 8g and 8h • Fryston Common Lane – works between reference points 13a and 13b The applicant is to check and amend the draft DCO as necessary.
Schedule 6 – Steets and public rights of way		
Q1.16.50	The applicant	**Definitive Map Modification Orders** In schedule 6 there are references to SEL/2021/01/DMMOO not SEL/2021/01/DMMO. The applicant is to amend the draft DCO as necessary. In the table under part 2 there ae also several entries identifying different DMMOs and measures proposed to be taken should those routes be adopted. Some of the DMMO references cited in the second column do not correspond with that cited and shown on the Streets Plans [AS-007]. The applicant is to check all references and amend the draft DCO and/ or Streets Plans as necessary
Schedule 9 – Land in which only new rights etc. may be acquired		
Q1.16.51	The applicant	**Clarity of powers sought**

ExQ1	Question to:	Question:
		Column 2 of the table in schedule 9 contains broad purposes for which rights over land may be required and restrictive covenants imposed while column 1 groups the affected plot numbers to which those purposes apply. However, the current format of schedule 9 makes it difficult to ascertain whether each of the rights and restrictive covenants listed in column 2 are necessary, proportionate and justified in relation to every plot number identified in Column 1. The applicant is to amend schedule 9 to include a row for each plot number that identifies the purposes for which rights may be required in column 2 and the work numbers in column 3. This would assist in assessing whether the extent of the powers sought is proportionate on a plot-by-plot basis. Examples can be found in the Springwell Solar Farm Order 2026 and the draft Order for the proposed Fosse Green Energy development.
Schedule 10 – Modifications of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictive covenants		
Q1.16.52	The applicant	**Paragraph 4 - Application of Part 1 of the 1965 Act** The descriptions of articles 20, 22 and 27 in this paragraph are inconsistent with those cited elsewhere in the draft DCO. Article 20 is cited in the contents as 'authority to survey and investigate the land', but in this paragraph, it is cited as 'compulsory acquisition of land' (which in the contents relates to article 21). The applicant is to clarify the reason for these apparent anomalies and should amend the paragraph as necessary.
Schedule 13 – Documents and plans to be certified		
Q1.16.53	The applicant	**Additional documents** The applicant is to include the following as certified documents in schedule 13, and include a definition in article 2, or explain why they should not be included: • Outline Materials and Waste Management Plan • Outline Pollution and Spillage Response Plan • Outline Invasive Species Management Plan
Q1.16.54	The applicant	**Work Plans** The applicant is to provide, or signpost where it can be found in the application documents, an explanation why the cable route corridor 2-8 is identified partly as work no. 1(d) and work no. 5 on sheet 16 of the Work Plans [AS-004]. If this is an error, provide updated Work Plans for deadline 4.
Schedule 15 – Protective provisions		
Q1.16.55	The applicant Ouse and Derwent Internal Drainage Board	**Part 3 – paragraph 20** Parties are to provide a view whether the distances stated in "specified work" should be updated to reflect the applicant's new commitment that planting in the 10m buffer on Ouse and Derwent IDB watercourses would only be on one side of a watercourse?
Q1.16.56	The applicant	**Part 6 – paragraphs 79(1) and (6), Part 7 – paragraph 74, and Part 8 – paragraph 109** These all refer to article 43 (arbitration) whereas elsewhere in the draft DCO that article 43 is cited as relating to double recovery. The applicant should: a) clarify if these references are incorrect, and if these should be replaced by article 44 (arbitration) b) provide an update to the draft DCO as necessary.
Q1.16.57	The applicant	**Part 6 – paragraph 64(3)(i) and (j)** These refer to article 23 (compulsory acquisition of land), however article 23 covers 'Compulsory acquisition of land – incorporation of mineral code' and article 21 covers 'Compulsory acquisition of land'. The applicant should provide confirmation which articles are intended to be referred to in paragraph 63 and amend the draft DCO as necessary.
17. Compulsory acquisition, temporary possession and other land or rights considerations		
General		
Q1.17.1	The applicant	**Adequacy of voluntary agreements** The applicant explained during CAH1 [EV3-002] agenda item 3.1 that the signed voluntary agreements could not be relied upon in circumstances where a landowner does not grant a lease in accordance with the option agreement, or if a landowner dies or becomes insolvent. Furthermore, that these circumstances could not be included in voluntary agreements. The applicant is to explain: a) why these circumstances have not been incorporated in a voluntary agreement including signposting to any relevant legislation or case law? b) in the absence of pursuing voluntary agreements which incorporate foreseeable and not unusual circumstances, how does it demonstrate that all reasonable alternatives to compulsory acquisition have been explored?

ExQ1	Question to:	Question:
		c) in the absence of pursuing a voluntary freehold agreement for the relevant land plots, how does it demonstrate that all reasonable alternatives to compulsory acquisition have been explored?
Q1.17.2	The applicant	**Assessment of private loss** The applicant's response to CAH1 [EV3-006] agenda item 3.4 and action point CAH1-11[REP1-005] asserted the private losses that would arise from compulsory acquisition powers, or consequences of, are losses that can be adequately compensated. The Examining Authority notes that the compulsory acquisition guidance requires a balancing exercise between public benefit and private loss when considering whether there is a compelling case in the public interest. It does not refer to balancing public benefit against compensation paid. Similarly, under Article 1 of Protocol 1 to the European Court of Human Rights, the question is whether the interference with property rights is proportionate. Compensation addresses the financial consequences of compulsory acquisition, whereas the statutory balancing exercise requires consideration of the underlying private loss and interference with property rights. The applicant is to confirm what assessment has been undertaken of the underlying loss and interference with private rights, and signpost to the evidence that can be used to inform a conclusion whether that loss if outweighed by the public benefit?
Q1.17.3	The applicant	**Interference with private rights** National Highways, in its written representation [REP1-023] and [REP1-024], referred to potential existing claims or interests affecting the plots identified in paragraph 2.10. The applicant is to: a) identify the nature and beneficiaries of those rights and interests in the Book of Reference as necessary b) explain whether extinguishment, suspension or interference with those rights is required for the proposed development and why c) confirm whether these affected persons have been notified, and if yes signpost to the evidence.
Q1.17.4	The applicant	**Negotiations with affected persons** Paragraph 1.7.2 of the Statement of Reasons [REP2-009] explains the negotiations are continuing with persons with interests in land affected by the proposed development. The applicant is to provide, or signpost where it can be found in the application documents: a) evidence that it has engaged with the beneficiaries of the affected rights, listed in part 3 of the Book of Reference [REP2-011], and evidence it explored whether the rights could be acquired, varied, released, suspended or otherwise addressed by agreement before seeking compulsory powers b) evidence that it has made genuine and proportionate efforts to acquire by agreement the relevant category 2 persons land interests or rights identified in Part 1 of the Book of Reference.
Q1.17.5	Harworth Estates (Agricultural Land) Limited	**SDS8 access** Your relevant representation [RR-0526] stated, "Construction and Operational Access for Site 8; works number 8A and 8B look to comprise the only southern access options to the site, on this understanding Harworth has no further comment to make". Sheets 16 and 17 of the Works Plans [AS-004] identify proposed works to facilitate permanent access to SDS8 from the north. Could you provide further comments in relation to the proposed north access, as you feel necessary.
Q1.17.6	The applicant Nick Billingham	**Book of reference** Parties are to: a) explain the current position on identifying potential missing affected persons that were raised in [RR-1051] b) explain whether the updated Book of Reference [REP2-011] is considered to identify all legal interests.
Q1.17.7	The applicant	**Funding statement** The applicant is to: a) confirm how the total project cost of £925 to £975 million stated in section 2.2 of the Funding Statement [APP-021] has been derived, including a breakdown of the principal cost components including construction, land acquisition, compensation, professional fees, financing costs, environmental mitigation, contingency and inflation allowances b) whether the cost estimate has been independently reviewed or assured? If so, by whom and when? c) how the submitted cost estimate of £925 to £975 million compares with equivalent or comparable projects, and what explains any material differences? d) aside from section 2.3 of the Funding Statement explaining that, if an Order was granted for the proposed development, the applicant would consult a variety of financial institutions, advisors and investors, what substantive steps have been taken to secure funding?

ExQ1	Question to:	Question:
		e) how can the Examining Authority be satisfied that there is a reasonable prospect of the requisite funds being available to meet project costs, including the costs of acquiring land and rights, given that no funding sources have been identified or evidence provided to demonstrate that adequate funding would be available at the point any compulsory acquisition powers are exercised.
Acquisition of rights		
Q1.17.8	The applicant	**Rights over land identified for acquisition of freehold** Article 24(1) of the draft DCO appears to be drafted to enable compulsory acquisition of new rights over all of the Order land. While article 24(2) limits the compulsory acquisition power in defined plots to the defined rights listed in schedule 9, it does not prevent new rights over any other part of the Order land being acquired under article 24(1). As a result, there may be persons with an interest in Order land not identified in schedule 9 but who could nonetheless be affected by the exercise of those powers. The applicant should provide evidence to demonstrate that persons with an interest in any part of the Order land were aware that such undefined new rights could potentially be sought over their land.
Q1.17.9	The applicant	**Rights over land identified for the proposed cable route corridor** During CAH1, the applicant explained that temporary possession powers would be used during surveys and construction initially for a wider cable route corridor, then a narrower permanent easement identified over the final cable alignment. The applicant is to explain how the draft DCO secures that a permanent easement could only be made over a narrower cable corridor rather than all of the land marked blue on the Land Plan.
Q1.17.10	The applicant	**Rights over the public highway** The draft DCO seeks compulsory acquisition of rights over public highway land, including the full suite of rights and restrictive covenants set out in schedule 9. The applicant is to explain why it is reasonable and necessary for the undertaker to acquire the full extent of those rights and restrictive covenants over all highway land? In particular, where the proposed cable only passes beneath the highway and there is no associated above-ground infrastructure, should the powers instead be limited to those rights and restrictive covenants that are demonstrably required to protect, operate, maintain, inspect and repair the cable?
Temporary possession		
Q1.17.11	The applicant	**Temporary possession of solar development sites** During CAH1, the applicant explained that temporary possession powers could be used over all of the land in the Order limits and such powers would be used to enable construction of the scheme to take place before using compulsory powers to reflect the final design of the proposed development. The applicant is to: a) explain under what circumstances, specific to the Light Valley Solar development, might the land identified as necessary for the proposed solar development sites reduce, and for each site the extent of each plot number that this would affect b) confirm whether, and if so explain why, it is necessary for the undertaker to have powers of temporary possession over the land plots associated with the proposed solar development sites prior to either executing a voluntary agreement with the landowner or exercising powers to compulsorily acquire the freehold interest in those plots. In particular, what activities are envisaged to take place under temporary possession powers, and why could those activities not be undertaken after the relevant land interest has been secured through agreement or acquisition c) confirm the implications for the proposed development if the undertaker did not have the power to temporarily possess the land identified for the proposed solar development sites.
Plot specific		
Q1.17.12	The applicant National Grid Electricity Transmission (NGET) Harmony MF Ltd Any other interested party	**Monk Fryston substation (north)** The applicant's response to relevant representations reference NGET-01 [REP2-109] acknowledges that the majority of plot 21-031 will form part of the operational Monk Fryston substation once the Yorkshire GREEN extension is completed. Appendix E.1 of the Interrelationships Report [REP2-112] identifies the Yorkshire GREEN location and main features. In addition, appendix C of the Interrelationships Report identifies a consented BESS development on land to the east of Rawfield Lane to be within the proposed Order limits (plot 21-030). An extract of both appendices is included below with the pink and yellow areas identifying the other developments respectively.

ExQ1	Question to:	Question:
		  The applicant is to: a) clarify what elements of Work No.5 are envisaged at these plots in context of the cable route corridor meeting the Monk Fryston substation at its south-eastern boundary b) given the proximity of these consented developments to each other within the proposed Light Valley Solar development Order limits, demonstrate how the access via CA41 to the proposed Work No. 4 would be achieved c) explain whether the rights of compulsory acquisition and temporary possession could be limited to the areas not shared with the aforementioned developments d) confirm whether the purposes for which rights over land may be required and restrictive covenants imposed set out in schedule 9 of the draft DCO [REP2-004] would hinder the operation of the aforementioned developments. All other listed parties are to provide a view on the matters covered in the above questions.
Q1.17.13	The applicant SSE HD777FRY Ltd Constantine Energy Storage Any other interested party	**Monk Fryston substation (south)** The Examining Authority understands plot 21-035 includes a BESS operated by HD777FRY Ltd and Constantine Energy Storage. In addition, appendix C of the Interrelationships Report identifies another consented BESS off Rawfield Lane to be within the proposed Order limits (plot 21-040), marked green on the extract plan in Q1.17.3 above. The applicant is to: a) clarify what elements of Work No.5 are envisaged at these plots b) provide further explanation on the need and justification for compulsory acquisition and temporary possession of these plots c) confirm whether the purposes for which rights over land may be required and restrictive covenants imposed set out in schedule 9 of the draft DCO [REP2-004] would hinder the operation of the aforementioned developments and what protections are included in the draft DCO All other listed parties are to provide a view on the matters covered in the above questions.
Q1.17.14	The applicant	**Emergency landing strip** The applicant's response to relevant representation reference AVI-02 [AS-036] confirmed the strip of land in plot 13-051 is proposed as an emergency landing strip for Sherburn Airfield. The Examining Authority notes that the Work Plans [AS-004] identify this strip of land for Work No. 5 and 6 and that several proposed elements included in the definition of Work No. 6 may not be compatible with an emergency landing strip. Similarly, temporary construction and decommissioning laydown areas included in the definition of Work No.5 may not be compatible. During ISH1 the applicant explained the landing strip is not a specific mitigation measure but being set aside for potential emergency use by the airfield. The applicant is to confirm: a) whether the emergency landing strip is a necessary mitigation measure b) if the answer to a) is yes, signpost to how this is specifically secured and how the proposed works numbers would be compatible with an emergency landing strip c) if the answer to a) is no, justify why this strip of land in Plot 13-051 is necessary to facilitate the proposed development. The response should explain why panels are not proposed in this wide strip of land and how that compares with similar areas elsewhere in the Order limits.

ExQ1	Question to:	Question:
Q1.17.15	The applicant	**Cable route corridor 1-4** The applicant is to confirm, if the final design proposes a substation at SDS4, would it be infeasible for CRC1-4a to facilitate the cable connection and explain why?
Q1.17.16	The applicant Hillam Solar Limited Noventum Power Limited	**Cable route corridor 3-4** The submitted Plot Optionality Note [REP2-111] explains that route option CRC3-4a would be used if the Hillam Solar development is brought forward to ensure that this development and the proposed Light Valley Solar development could coexist. The applicant is to confirm: a) why could the developments not coexist if CRC3-4 was used? b) whether the purposes for which rights over land may be required and restrictive covenants imposed set out in schedule 9 of the draft DCO [REP2-004] would hinder the construction or operation of the Hillam Solar development as consented? The Plot Optionality Note explains that CRC3-4 is the preferred route as it is shorter and does not necessitate the use of trenchless techniques. However, paragraph 3.3.18 of the Interrelationships Report [REP2-112] stated that the proposed “Light Valley Solar [development] has committed to a trenchless solution within the Hillam Solar location”. The applicant is to: c) provide clarity whether a trenchless crossing solution is proposed for both route options or only CRC3-4a, and how this would be secured d) provide the total length of each route option from SDS3 to the proposed substation location in SDS4 e) confirm whether the alternative design solution that would align the interconnecting cable for the proposed Light Valley Solar development with an existing hedgerow between two separate fields forming part of the Hillam Solar project, as set out in paragraph 3.3.13 of the Interrelationships Report [REP2-112], is a reference to CRC3-4 or CRC3-4a? Hillam Solar Limited and Noventum Power Limited are to provide its view on the matters covered in the above questions.

Annex A – Clarifications and errata

Exam Library Reference	Document	Comments
Several	Document Footers	Some of the application documents include a footer citing the Planning Inspectorate reference as being ‘EN00110012’ instead of ‘EN0110012’. Examples include but are not limited to, the Outline Construction Environmental Management Plan [REP2-089], Outline Operational Management Plan [REP2-091] and Outline Decommissioning Environmental Management Plan [REP2-093]. Check, correct and update all documents accordingly.
[REP2-091]	Outline Operational Environmental Management Plan, table 3-9	Within the ‘Noise and Vibration’ section, under monitoring requirement, it reads “The overall responsibility will be within the Applicant”. Check, correct and update accordingly.
[REP2-091]	Outline Operational Environmental Management Plan, table 3-10	Within the ‘Ornithology’ section, under the description of potential impact, the sentence is incomplete and reads “...as well as ground nestin” Check, correct and update accordingly.
[REP2-004]	Draft Development Consent Order – Explanatory Note	Within the Explanatory Note (page 198) it describes the proposed development as being “…a ground mounted solar photovoltaic generating station with a gross electrical output capacity over 10 megawatts and associated development.” Check, correct and update accordingly.
[REP2-004]	Draft Development Consent Order – Schedule 1	Under Work No.9 subsections (a) and (b) are referred to as ‘Work 9A’ and ‘Work 9B’ and not ‘Work No.9A’ and ‘Work No.9B’ which is the reference

Exam Library Reference	Document	Comments
		used elsewhere when describing other Works (i.e. Work No.10A and Work No.10B). Check, correct and update accordingly.
[REP2-021]	Design Parameters and Commitments – Cover page	On the front cover the document is dated as July 2026, Version 2, whereas the version control page states Version 2.0 is September 2026. Check, correct and update accordingly.
[REP2-021]	Design Parameters and Commitments, paragraph 1.3.1(3)	When describing the ‘Commitments’ the term 'set-backs' is referenced rather than 'offsets' which is used in the remainder of the Design Parameters and Commitments document and other documents such as the Commitments Register. Check, correct and update so that the term used is consistent throughout the application documentation.
[REP2-021]	Design Parameters and Commitments, paragraph 2.1.1 (h)	The Outline Battery Safety Management Plan is referenced as being document EN0110012/APP/LVS/02.12, whereas in fact it is EN0110012/APP/LVS/07.06. Check, correct and update accordingly.
[REP2-089]	Outline Construction Environmental Management Plan, paragraph 2.11.4	Paragraph 2.11.4 refers to the 'Site' however this is not defined. It is unclear if the ‘Site’ refers to the Order limits or some other distinct area and this should be clarified and the document amended accordingly. Check, correct and update accordingly. The applicant is to check all documentation for any other such instances or references and similarly update and amend as necessary.

Exam Library Reference	Document	Comments
[REP2-085]	ES Appendix 15.4 Outline Drainage Strategy	Within the document there are references to SuDS Manual (CIRIA 753). Elsewhere there are references to CIRIA 735 and C753. Check and ensure all references are correct and consistent.
[REP2-097]	Outline Battery Safety Management Plan, paragraph 1.3.2	The Design Parameters and Commitments document is referenced as being document EN0110012/APP/LVS/05.**05**.06 rather than EN0110012/APP/LVS/05.06. Check, correct and update accordingly.
[REP2-033]	ES Chapter 6 – Biodiversity	Inconsistencies have previously been identified in relation to the speed limits cited for surfaced and unsurfaced tracks within this chapter and those cited in the oCEMP (as identified in the errata table which accompanied the ISH1 action points [EV5-010]. Although the ES Chapter 6 has been updated similar errors within paragraph 6.10.15 remain. Check and update and check for any other such instances or references and similarly update and amend as necessary.
[REP2-041]	ES Chapter 14 – Traffic and Movement	Table 14-23 of ES Chapter 14 contains 'tracked changes' that have not been formally adopted. Check and update the document accordingly.
[REP2-017]	Planning Statement Appendix 1, paragraph 3.1.2	Paragraph 3.1.2 still contains a duplicate reference to Table 3-6. Check, correct and update accordingly.