

The Planning Inspectorate

Reference: OR-0012690/01

Customer reference: EN0110012

[via PINS portal]

06 October 2026

Dear Sir/Madam

**ENVIRONMENT AGENCY RESPONSE TO EXAMINING AUTHORITY'S WRITTEN
QUESTIONS 1 (EXQ1). LIGHT VALLEY SOLAR.**

We have reviewed the questions directed to us within your letter dated 22 September 2026 [[PD-008](#)]. A summary of the Environment Agency's overall latest position is shown in Appendix A. The Environment Agency's position on individual issue IDs as raised in our Relevant Representation [[RR-0419](#)] is shown in Appendix B.

ExQ1	Question to:	Question:
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.
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Environment Agency Response:

We are satisfied with the Applicant's response to this issue. No updates are required to the recently submitted draft documents as part of this consultation, as the relevant detail is already captured within the Examination Library, namely Figure 6.12 Fish Habitat Assessment, EA Monitoring Locations and eDNA Survey Locations [APP-083]. The Applicant has provided clarification that reassures us on the design approach and baseline survey methodology. We are satisfied that the eDNA surveys were appropriately targeted at watercourses and waterbodies where suitable fish habitat exists and where potential impact pathways to fish receptors are present, which represents a sensible and proportionate approach to the baseline assessment.

The Applicant has also confirmed that no impact pathways to fish receptors exist within Hagg Lane Drain and Mearley Drain, given the retention of a 10 m buffer and the use of an existing crossing. We are therefore satisfied with the Applicant's response, and this issue is considered resolved.

ExQ1	Question to:	Question:
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.

Environment Agency Response:

EA03 is now resolved based on the change of wording in Table 3-3 of the outline CEMP [\[REP2-089\]](#). We are satisfied that sensitive migratory times for diadromous fish will be avoided by noisy construction activities.

EA04 is now resolved. We are satisfied that the correct migratory times are avoided and stated in Table 3-3 of the outline CEMP [\[REP2-089\]](#). We are also satisfied with the updated wording in the Shadow Habitats Regulations Assessment [\[REP2-023\]](#).

ExQ1	Question to:	Question:
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.

Environment Agency Response:

Across solar development sites 1, 3, and 4, the Applicant has used the fluvial (river) upper end climate change allowance to represent the credible maximum flood risk scenario. This scenario has been used by the Applicant to assess the impact of the solar panel support structures on floodplain storage and flood risk elsewhere. This approach is conservative, as the Environment Agency's climate change allowance guidance (available online at: [Flood risk assessments: climate change allowances - GOV.UK](#)) indicates that based on the vulnerability classification of the development, the higher central climate change allowance would ordinarily be used to assess off-site impacts associated with Essential Infrastructure. In this instance the relevant fluvial design event for sites 1, 3, and 4 is the 1% (1 in 100) annual exceedance probability scenario (AEP) event with a higher central climate change allowance of 31%.

For solar development site 1, the Applicant has assessed the effect of the reduction in floodplain storage associated with the solar panel support structures during a credible maximum scenario, represented by the 1% (1 in 100) AEP event with a 50% uplift in flow to account for climate change. The volume of water displaced by the solar panel supports has been calculated for this scenario, and the potential effect on flood levels estimated by distributing the displaced volume across the hydraulically connected floodplain. The Applicant's calculations indicate that any resultant flood level increase would be sub-millimetre in magnitude.

Site 1 is characterised by very low floodplain gradients and low floodplain flow velocities during both the design and credible maximum scenario flood events.

With regards to level-for-level compensatory floodplain storage as referenced in paragraphs 5.8.30 and 5.8.31 of EN-1, it would be challenging to provide meaningful compensatory storage for a large number of distributed stilts across the floodplain. Having reviewed the Applicant's volumetric assessment, and noting that it is based on the conservative credible maximum scenario, we are satisfied that the volume displaced by the solar panel support structures would not result in a measurable impact on flood levels or flood risk elsewhere. Water will be able to move freely below the panel structures around the support legs.

We note that the Applicant has proposed several scrapes within the bird mitigation area associated with site 1. However, any storage benefits arising from these features have not been included in the volumetric assessment undertaken by the Applicant. While such features may provide a degree of additional floodplain storage, they are not material to our conclusion that the solar panel support legs will have a negligible impact on flood risk elsewhere within site 1.

With regards to solar development sites 3 and 4, the Applicant has similarly assessed the loss of floodplain storage using a credible maximum scenario corresponding to the 1% (1 in 100) AEP event with a 51% climate change uplift for the River Aire, rather than the design event which comprises the 1% (1 in 100) AEP event with a 31% climate change uplift. Although sites 3 and 4 lie within the River Aire floodplain, they benefit from raised flood defence embankments and washlands which provide a high standard of flood risk protection. Consequently, neither site floods during the design flood event and hence there is no loss of floodplain storage under design event conditions. During the credible maximum scenario, the flood defences are overtopped and sites 3 and 4 are affected. The volume of storage lost within the inundated area during this scenario is small comparable to the inundated area and hence any impact on water levels is expected to be negligible.

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.

Environment Agency Response:

All embankments are currently in good condition, and annual inspections are carried out by the Environment Agency. The Applicant has committed to undertaking a pre-works survey to understand the current condition of the embankments and if there are any weak spots to be aware of and avoid.

In light of this, it is highly unlikely any issues will occur during the construction phase of the development, if the proposed construction methods and mitigation measures are implemented. We are not asking the Applicant to commit to any additional mitigation at this point.

The proposed design of the cable corridor will be a minimum of 5m below all flood defences and watercourses alongside the proposed monitoring and contingency planning means most unforeseen issues will be avoided and the level of impact reduced. The Applicant has now included all necessary mitigation within Table 3-13 of the outline CEMP [\[REP2-089\]](#) and Table 2-4 of the Design Parameters and Commitments document [\[REP2-021\]](#) to mitigate and reduce the risk and severity of any cracking or slumping. Additionally, the Applicant has committed to undertaking monitoring during all works which is key to identifying any degradation occurring and implementing the necessary mitigation to ensure a line of defence is upheld.

However, if damages were to occur depending on the extent of damage and weather conditions, we would expect for the following procedures to take place:

- **Minor foreseeable damage** (Embankment damage due to planned activities, i.e. access tracks over the embankment or temporary haul roads)
 - For anything foreseeable, there will be a pre-planned response for temporarily repairing any issues should a filling event be forecast. Embankment repairs typically consist of over sheeting with a damp-proofing membrane, such as Visqueen, and sand backing with the aim of ensuring the defence height is not compromised, and areas of damage or loss of grass cover are protected to prevent erosion (including from wind and wave action).
- **Unforeseeable damage to the embankment** (Slips or cracks in the embankment)
 - If these occur without a forecast of filling, and weather conditions are suitable for earthwork repairs, repairs would need to be designed, approved, and undertaken in a timely manner. If that was not possible, then a temporary repair may be approved. What this involves would depend on the scale of the damage, but it may consist of over sheeting with a damp-proofing membrane, such as Visqueen and sandbagging the affected areas, installing a ring defence around the damaged area, or, in an extreme instance, a planned breach.

If the embankments which are adjacent to the riverbank were to fail, this would lead to the reservoir filling earlier and a lower level of protection being provided. If a breach of the outer reservoir embankments were to occur, this would cause

wider flooding impacts, however we note that the flooding impacts of this would be no different from if the embankment was to fail under natural circumstances. This breach has been modelled and mapped, but details are not in the public domain for national security reasons.

ExQ1	Question to:	Question:
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?

Environment Agency Response:

In terms of the assessment on land drainage for the purposes of surface water flood management, we defer to comments from the Lead Local Flood Authority (LLFA) and Internal Drainage Boards (IDB).

In respect of water quality, the oDS [\[REP2-085\]](#) has already committed to SuDS and mitigation measures which will help manage water quality. If land drainage systems will be removed (if they are no longer required), it may need to be that the outline DEMP [\[REP2-093\]](#) adequately secures how they will be reinstated when the land is returned to agricultural state at the end of the project.

From a fluvial flood risk perspective, we feel the changes and/or loss of the land drainage features will not have an impact on storage in the floodplain and not increase fluvial flood risk.

ExQ1	Question to:	Question:
Q1.15.13	The applicant Lead Local Flood Authority Environment Agency	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

	Ouse and Derwent Internal Drainage Board The Selby Area Internal Drainage Board	view whether the same, or similar, commitment should be made for all other watercourses?
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Environment Agency Response:

The Environment Agency would defer to the IDBs on matters pertaining to IDB watercourses. However, we would recommend that the Applicant extends a similar planting commitment to watercourses where watercourse crossings (such as culverts) are proposed. This measure could compensate for the loss of vegetation due to watercourse crossings, or provide enhancement to riparian habitat. We stress that this recommendation is advisory.

ExQ1	Question to:	Question:
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.

Environment Agency Response:

c) We can confirm that the concerns raised in EA13 apply to the proposed substations at SDS1, SDS2 and SDS4. There should be appropriate mechanisms to manage pollution incidents from all substations.

ExQ1	Question to:	Question:
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).

Environment Agency Response:

b) The Applicant's commitment to a minimum 5m crossing depth beneath the surveyed base of the watercourse would reduce the potential for loss of drilling fluids ('frac-out') into the watercourse. We do not anticipate this would influence effects on groundwater bodies other than a potential increase in the likelihood, spatial and temporal extent of direct interaction with groundwater with increasing depth.

We expect watercourse crossings and crossings where the works may interact with groundwater in Principal or Secondary A aquifers to be supported by a Hydrogeological Impact Assessment (secured in Table 3-13 of the outline CEMP [\[REP2-089\]](#)). These should be based on site specific intrusive investigation and groundwater monitoring to ensure that local ground conditions are understood, the risks associated with the crossing are suitably assessed, and sufficient mitigation is identified and secured.

ExQ1	Question to:	Question:
Q1.16.43	The applicant North Yorkshire Council Lead Local Flood Authority	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

	Environment Agency Ouse and Derwent Internal Drainage Board The Selby Area Internal Drainage Board	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. 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.
Environment Agency Response:		
a) We believe that there should be a drainage plan for the site for all phases of the development, therefore we agree that there should be a drainage plan submitted for the construction and operation phases. b) The Environment Agency is now named as a consultee in Requirement 10 Surface and foul water drainage, as we requested.		

We trust this advice is useful.

Yours faithfully

Chloe Snowball

Planning Specialist - National Infrastructure Team

E-mail: NITeam@environment-agency.gov.uk

APPENDIX A – SUMMARY OF OVERALL EA POSITION

	Agreed / resolved
	Working on a solution / under discussion
	Not agreed

Subject	Work package	Scope	Method and Assumptions	Results of Assessment (i.e Impact)	Mitigation / Enhancements Agreed	Requirement	RR ID
Biodiversity	Ecological Assessment						EA06, EA07, EA08, EA09
Fisheries	Fish Impact Assessment						EA01, EA02, EA03, EA04, EA05, EA06
Water Resources	Water Supply Strategy						
Flood Risk	Flood Risk Assessment						EA45, EA46, EA47, EA48, EA49, EA50, EA51, EA52
	Hydraulic Model						EA48, EA50, EA53
Surface Water Quality	Outline Construction Environmental Management Plan						EA13, EA18, EA24, EA25
	Outline Operational Environmental Management Plan					13	EA09, EA11, EA13, EA19, EA24, EA55
	Outline Decommissioning Environmental Management Plan						EA17, EA19, EA20, EA23, EA24

	Outline Battery Safety Management Plan						EA11, EA12, EA14, EA15, EA16, EA17
	Surface and Foul Water Drainage Strategy					10	EA10, EA15, EA16, EA23, EA25, EA54
	Water Environment Regulations Compliance						EA12, EA13, EA15, EA16, EA21
Groundwater Protection	Outline Construction Environmental Management Plan						EA13, EA31, EA34, EA37, EA38, EA39, EA40
	Outline Operational Environmental Management Plan					13	EA11, EA13, EA32, EA55
	Outline Decommissioning Environmental Management Plan						EA30, EA41
	Outline Battery Safety Management Plan						EA11
	Water Environment Regulations Compliance						EA13, EA21, EA28, EA33, EA36

APPENDIX B - ENVIRONMENT AGENCY'S POSITION ON INDIVIDUAL ISSUE IDS AS RAISED IN OUR RELEVANT REPRESENTATION

	Agreed / resolved
	Working on a solution / under discussion
	Not agreed

Issue ID	RAG Status
EA01	
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EA59 (NEW)	
EA60 (NEW)	