

Light Valley Solar

Statement of Common Ground with North Yorkshire Council

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Light Valley
Solar

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Light Valley Solar

Examination Deadline 3

Statement of Common Ground with North Yorkshire Council

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support the Examination of the Development Consent Order (DCO) application for Light Valley Solar (the Proposed Development). It is a jointly owned document between Light Valley Solar Limited (the Applicant) and North Yorkshire Council (NYC).
- 1.1.2 It confirms to the Examining Authority (ExA) where there are points of agreement between the parties and where agreement has not yet been reached. It is intended to aid the ExA in identifying any specific issues that may need to be addressed during the Examination and provides a structure to any further discussions for the parties engaged in the SoCG.
- 1.1.3 This document has been prepared in response to a specific request from the ExA as per the Rule 6 Letter [PD-003] issued 19 June 2026.

1.2 Terminology

- 1.2.1 Section 2 of this document sets out the relevant matters raised through discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
 - 1) Green indicates “agreed” means that a matter has been resolved between the parties and is not anticipated to be subject to further discussion.
 - 2) Amber indicates “under discussion” means that a matter remains in active dialogue between the parties and a final position has not been reached.
 - 3) Red indicates “not agreed” and means that the parties have established a final position that they cannot resolve the matter and will remain a point of difference.

1.3 Status of this document

- 1.3.1 This document is Version 1 of the NYC LVS SoCG, shared at LVS Examination Deadline 3, 6 October 2026. The Applicant and the Local Authority continue to work together with a view to share a second version of the SoCG at LVS Examination Deadline 4, 17 November 2026.

2 Current Position

- 2.1.1 Table 1 below provides a summary of the current position of the Applicant and NYC in respect of the Proposed Development. Issues identified in North Yorkshire's Local Impact Report ('the LIR') and resolved through engagement are summarised and grouped. Where dialogue has led to further matters coming to light, these are also identified and addressed.
- 2.1.2 Table 1 is structured by topic as follows:
- 1) Policy
 - 2) Transport and Access
 - 3) Landscape
 - 4) Ecology and biodiversity
 - 5) Heritage
 - 6) Environmental Health
 - 7) Human Health
 - 8) Best and Most Versatile Land
 - 9) Flooding
- 2.1.3 Throughout the pre-application stage for the Proposed Development, the Applicant and North Yorkshire Council (NYC) met regularly to discuss the proposed development through a monthly steering group and through targeted technical engagement. Post submission, engagement with the Authority has continued. A summary of all engagement activities is set out in Appendix A. This summary is limited to engagement which is materially relevant to the contents of this SoCG and does not include details of every correspondence between the parties (i.e. that which was primarily administrative in nature).
- 2.1.4 The content of the SoCG supersedes the Issues Tracker, the tool used to maintain oversight of matters up to application submission. The Issues Tracker was managed by the Applicant and shared with North Yorkshire Council via the LVS Steering Group.
- 2.1.5 A first version of the SoCG was shared with NYC in July 2026 reflecting the emerging areas of common ground. A second iteration was issued to NYC on 5 September 2026 following a full review of the Local Impact Report [**REP1-006**]. Alongside, requests for further engagement with relevant NYC technical teams were made to facilitate progression to this Version 1 of the Statement of Common Ground issued to the Examining Authority on 6 October 2026.
- 2.1.6 It has been agreed with NYC that matters resolved through the Application process which have not been raised through the LIR are not covered in Table 1 below. This includes, for example acceptance of the Applicant's submitted assessment of the principle of development and the submitted Minerals Assessment [**APP-210**].

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- 2.1.7 This version (V1) of the SoCG should be read alongside the Applicant's Response to North Yorkshire Council's Local Impact Report Version 1 [**REP2-117**].
- 2.1.8 Appendix 1 of this document provides a record of the engagement undertaken between the parties in relation to the Proposed Development.

Table 1 Current position of matters relevant to the parties' discussions

Topic	NYC position	Applicant position	Status
Planning policy			
Policy	NYC noted in the Local Impact Report [REP1-006] relevant Development Plan documents to be considered for the Proposed Development include: Minerals and Waste Joint Plan (2022): Policies S01, S02, S07, W01 and W05. Selby Core Strategy Local Plan (2013): Policies SP1, SP2, SP12, SP13, SP15, SP16, SP17, SP18 and SP19. Selby District Local Plan (2005): Policies ENV1, ENV2, ENV3, ENV4, ENV9, ENV12, ENV13, ENV16, ENV17, ENV27, ENV28, T1, T2, T8 and CS6. Escrick Neighbourhood Development Plan added by LIR list: NE1 and NE2.	The LVS Team has signposted NYC to the: Planning Statement [APP-207], the Policy Compliance Document [APP-224] the Minerals Assessment [APP-210]; and the outline Materials and Waste Management Plan [APP197] The following are not included in the above documents and have been discussed with NYC for agreement: SP12 – The parties agree that SP12 is principally directed towards new non-energy related development. Whilst the policy has limited relevance to the Proposed Development, matters relating to Green Infrastructure, public access and community benefits have been considered through assessment of the Proposed Development and NPS-EN1 paragraphs 5.11.6 and 5.11.24. SP15 – The parties agree that SP15 is relevant to the Proposed Development and the objectives of the policy are substantially reflected within NPPF and NPS EN-1. The Proposed Development's contribution to renewable energy generation and climate change mitigation is considered against the national policy requirements. SP16 – The parties agree that SP16 is principally directed towards residential development and strategic development sites and is of limited relevance to the Proposed Development.	

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		ENV4 – The parties agree that ENV4 is relevant as it seeks to ensure that the Proposed Development does not give rise to unacceptable risk associated with hazardous substances. Consideration of these matters has been undertaken in accordance with NPS EN-1, sections 4.14.5 and 4.14.6. ENV16 – The parties agree that there are no historic parks and gardens affected by the Proposed Development and therefore Policy ENV16 is not applicable. ENV17 - The parties agree that there are no Registered Battlefields affected by the Proposed Development and therefore Policy ENV16 is not applicable	
Transport and Access			
Access	NYC noted in the Local Impact Report [REP1-006] reference LIR-NYC-52 [REP2-117] that the Order Limits extents should allow for suitable visibility splays, including need for tree and hedge removal.	The Applicant's draft Development Consent Order limits, as shown on the Application Location Plan [AS-003], already allow for suitable visibility splays at junctions. However, a small number of locations, post submission, have been identified where additional allowance would be beneficial. The Applicant's Proposed Change Notification [CR1-001] includes for alterations to secure additional this visibility splay allowance. These proposed changes will allow for management of obstructions, including vegetation, during the construction period and NYC has confirmed acceptance of this update. This item will remain amber until confirmation of whether the Examining Authority accepts the Applicant's Proposed Change Notification [CR1-001].	

Topic Topic	NYC position	Applicant position	Status
Access	NYC noted in the Local Impact Report [REP1-006] reference LIR-NYC-53 [REP2-117], concerns regarding the swept path analysis for Wheldrake Lane / Main Street. In follow up dialogue on 25 September 2026 and by email on 05 October 2026, the NYC the Local Highway Authority (LHA) team, noted acceptance that HGVs already utilise the junction of Wheldrake Lane / Main Street. However, the LHA's position is that the proposed construction activities will result in an intensification of HGV and there will be an increased likelihood that two HGVs would need to pass.	It was agreed in a meeting on 25 September 2026 that the applicant will provide swept path analysis of the junction in advance of Examination Deadline 4. Subject to the provision of suitable material this topic is likely to be able to be agreed.	
Access	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-54 [REP2-117], concerns regarding Austfield Lane and the ability for HGV to pass without new passing place provision.	Following the accompanied site visit with NYC, it has been agreed that Austfield Lane benefits from good forward visibility. The use of Austfield Lane as a construction route for another solar development was recently approved, subject to appropriate traffic management. The Applicant has therefore agreed to provide NYC with a plan for LVS, showing similar traffic management arrangements. This includes passing places within the highway boundary on Austfield Lane. This will be provided in advance of Examination Deadline 4. This item will remain amber until agreement of the Austfield Land management plans has been reviewed by NYC.	
Access	NYC noted in the Local Impact Report [REP1-006] reference LIR-NYC-54 [REP2-117],	Provision has been made for passing places and temporary construction traffic management to enable access to	

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	concerns that access to SDSs 6, 7 and 8 use narrow roads with limitations on ability of HGVs to pass.	SDS 6, 7 and 8. These are shown on the Access to Works Plans [AS-006] and methods for management explained in the outline Construction Traffic Management Plan [REP2-103] On 25 September 2026 possible alternative access options to Sites 6, 7 and 8 were discussed and the potential need for additional plans and traffic management arrangements was raised. A meeting with NYC's Street Works team is scheduled for 14 October 2026 to discuss access to these sites further.	
Access	NYC noted in the Local Impact Report [REP1-006] reference LIR-NYC-55 [REP2-117], concerns regarding construction traffic routing for access to SDS 4 and limitation on HGVs travelling through Birkin preferred. Following further discussions on the 25 September and 01 October 2025, the LHA has confirmed its position is that using a haul road within SDS 4 would be a proportionate measure to remove the need for construction vehicles to travel on the highway through Birkin and this approach should be adopted. This measure should be secured and any relevant plans and / or documents amended to reflect this position. It is acknowledged that there may be occasional operational need for HGVs to pass through Birkin, but this would, in the view of the Local Highway Authority need to be	It has been agreed between the Applicant and the LHA that construction HGV movements through Birkin will be avoided where practicable, with the internal Site 4 access network used in preference to the public highway through the village. The oCTMP will be updated at Deadline 4 to reflect this approach. The proposed construction routing promotes avoidance of Birkin, allowing access to SDS4 from both the north and east without the need to travel through Birkin. Nevertheless, the Applicant maintains that use of public highway as an option through Birkin should not be explicitly prevented. The Applicant is undertaking a review of access to Site 3 and the northern Site 4 access via Gateforth New Road, whilst retaining the route via West Haddlesey for the southern Site 4 access.	

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	addressed on a case-by-case basis. The LHA's position is that there may be merit in utilising the Gateforth route to access Site 3 and the northern two accesses of Site 4, which would remove the need for construction traffic to travel through Birkin. The ability of two HGVs to pass on the bend of Gateforth New Road and Hillam Road in Gateforth would require further investigation.		
Access	NYC noted in the Local Impact Report [REP1-006] reference LIR-NYC-56 [REP2-117], concerns regarding the A162/A63 Roundabout capacity for construction traffic from the Proposed Development. As part of ongoing collaboration between the LHA and the Applicant, it was discussed in a meeting on 1 October 2026 that an alternative route via the A64 and A162 would be feasible to avoid the roundabout. NYC is progressing traffic modelling to inform dialogue relating to the roundabout.	The mitigation in the Outline Construction Traffic Management Plan (oCTMP) [REP2-103] includes measures to manage construction vehicle arrival and departure times on the roundabout to avoid the highway network peak hours. It has been agreed between the Applicant and the LHA that, subject to modelling, the route utilising the roundabout is preferable as it provides a shorter link to / from the Strategic Road Network. In the scenario that the results of the modelling show that the roundabout cannot accommodate the forecast movements, an alternative route via the A64 has been agreed in principle for a small proportion of forecast movements that may not otherwise be rerouted on existing construction routes. If this alternative route is progressed, it was agreed that further checks will be carried out including, but not limited to, consideration of localised impacts and implementation of suitable traffic management controls. The need for	

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		this additional work will be reviewed following completing of the NYC LHA modelling work.	
Cable route crossings	NYC noted in the Local Impact Report [REP1-006] reference LIR-NYC-57 [REP2-117] , that NYC as the LHA is seeking a commitment that B1223 (Wistow Road) will be crossed using trenchless means.	The Applicant has advised NYC that, in line with Cable Route Method Statement [APP-147], the construction methods will not be confirmed until the detailed design stage. The Applicant has agreed to identify at Deadline 4 that it is understood NYC's preference is that, where possible, trenchless methods for road crossings are used. Further discussions are required to agree the appropriate means to confirm this position, potentially in the Design Parameters and Commitments Document [REP2-021]. This item will remain amber until publication of the updated oCTMP.	
Access and Design	NYC noted in the Local Impact Report [REP1-006] , reference LIR-NYC-52 and LIR-NYC-58 [REP2-117] , that further assessment of junctions and construction routes is necessary.	The Applicant and NYC LHA has agreed that provision of the detailed engineering designs for each individual access will be approved alongside the detailed CTMP, as secured through the draft Order by Requirement 14 [REP2-004] .	
Traffic Management	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-60 [REP2-117], that the outline Construction Traffic Management Plan (oCTMP), should contain more detail regarding non-motorised users, adoption of Considerate Constructors Scheme or similar, vehicle booking and scheduling commitments, vehicle holding /stacking. It was subsequently noted that the risk to vulnerable road users from construction traffic	As part of ongoing collaboration between the LHA and the Applicant, it was agreed in meetings on 25 September and 1 October 2026 that the Applicant will provide an updated oCTMP for DCO Deadline 4. This will include commitments in principle for managing construction traffic with more information about protection of vulnerable road users. Information regarding signage, access arrangements, passing places, use of banksmen and provisions for community liaison will be enhanced.	

Topic	NYC position	Applicant position	Status
	is a key concern. Whilst it is acknowledged that the final contractor is not known at this stage, much stronger commitments in the final CTMP should be documented, including: - Specific measures (physical and non-physical) to mitigate the risks of construction traffic interacting with non-motorised users. - Specific impacts mitigation where swept path analyses shows oversailing or encroachment onto footways or areas of pedestrian presence where no footway exists. - Adoption of the Considerate Constructors Scheme (or similar). - Adoption of vehicle holding / stacking areas (if required).	The Applicant does not consider that a commitment in the oCTMP to permanent physical highway measures is necessary or proportionate at this stage, as the assessment has not identified significant effects requiring such mitigation. Any necessary detailed measures can instead be developed having regard to the specific risks identified and agreed through the detailed CTMP. This item will remain amber until publication of the updated oCTMP.	
Construction vehicle / worker volumes	Subsequent to comments by NYC in the Local Impact Report [REP1-006], reference LIR-NYC-61 [REP2-117], regarding traffic volume estimates, informed by ongoing dialogue with the Applicant, the NYC LHA has confirmed that estimates are robust and form a reasonable basis for assessing likely transport impacts.	Agreed	
Streetworks / permitting	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-62 [REP2-117], matters relating to streetworks and permitting. This topic is not yet agreed as feedback from the NYC Streetworks team and area office team is	The provisions in Part 3 of the draft Development Consent Order [REP2-004] will ensure suitable streetwork permits will be secured. A meeting with NYC's Street Works team is scheduled for 14 October 2026 to discuss the detailed arrangements.	

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	needed to ensure that the Applicant will provide adequate notice to both to enable co-ordination with other applicants. This is essential with the high number of intended locations of works within the highway.	Subject to planned discussions between both parties, this topic is likely to be able to be resolved.	
Highway Works	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-63 [REP2-117], the NYC LHA noted concerns that, in the absence of a s278 agreement, there is no mechanism for delivering highway works to the satisfaction of the local highway authority. NYC is likely to require a Side Agreement to replicate the protections that a S278 agreement provides for both parties.	With reference to the response reference LIR-NYC-63, provided in the Applicant's Response to the Local Impact Report [REP2-117], the Applicant continues to seek agreement. The Applicant has advised it may enter into agreement under article 15 of the draft DCO [REP2-004] or alternatively may provide for approvals under the detailed Construction Traffic Management Plan (CTMP). Through ongoing dialogue with the NYC LHA, the Applicant is happy to discuss the option to strengthen the outline Construction Traffic Management Plan (oCTMP) to confirm that equivalent protections to a s278 agreement can be secured through the CTMP.	
Safety	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-64 [REP2-117], the NYC LHA noted that the A63 west of Monk Fryston is identified as area of concern with 'high risk route' for collisions.	The Transport Assessment [REP2-077] includes a review of collision data between 2019 and 2024. Whilst collisions were identified on the A63 and surrounding highway network, the assessment found that these were dispersed, with no evidence of accident clustering indicating a particular road safety concern. NYC has advised that its traffic engineering team has identified concerns regarding HGV collisions on the A63 west of Monk Fryston.	

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		The Applicant is awaiting further information from NYC to understand the basis of this concern and will review its position upon receipt.	
Strategic Road Network Risks	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-64 [REP2-117], NYC LHA noted planned highways works and other planned developments that should inform the cumulative assessment of the LVS construction phase. This matter is not in the view of the NYC LHA resolved. The local highway authority would seek to ensure that programmed works are recognised and allowed for. It is accepted that works by the Applicants and by others, may not proceed as currently programmed, and closures by the local highway authority or National Highways networks may not yet be planned. However, recognition of the likelihood of major works, closures and diversions is requested in this Application, alongside impacts.	Construction phasing of committed developments and known programmed highway works will be considered when preparing the detailed CTMP. The oCTMP includes provision for ongoing liaison with relevant highway authorities to coordinate construction traffic and respond to planned works or closures on the highway network. Given that the timing and nature of highway works and closures may change prior to construction, the Applicant considers that these are most appropriately reviewed through the detailed CTMP when up-to-date information is available. This will enable construction routing to respond to any relevant works, closures or diversions in place at that time. The Applicant is to introduce a further clarification regarding this commitment in the oCTMP.	
Landscape and visual			
Cumulative	Recommendation was made in the Local Impact Report [REP1-006], reference LIR-NYC-15 [REP2-117], that further examination is necessary to establish if there would be cumulative effects arising from Hillam Solar Farm (AP/2025/0037/REF).	NYC confirmed on 05 October 2026 acceptance of the Applicant's clarification on 16 September 2026 that Hillam Solar Farm was originally treated as part of the future baseline due to its consented status. Subsequent project inactivity prompted consideration of whether it should instead be assessed cumulatively. The Applicant advised that change in assessment approach would not materially alter overall landscape	

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		conclusions and would primarily affect views associated with receptors in close proximity to Site 3.	
PRoWs	NYC noted in the Local Impact Report [REP1-006], reference LIR-NYC-16 [REP2-117], concerns about the user experience of public rights of ways (PRoW) and permissive paths. It was noted that it is unclear whether the design intention will provide sufficient visual interest for users in constrained linear corridors and, due to enclosure, there may be no natural surveillance available. Following further engagement, NYC accepted the Applicant's follow up explanation at set out in the Applicant's Response to the LIR [REP2-117]. Further to this, the council raised a query on 05 October 2026 about maintenance of wider views towards areas such as Gateforth Wood, Hambleton Hough and Brayton Barff.	Following the 16 September 2026 meeting with NYC, the Council agrees with the Applicant's follow up clarification that a minimum 30 m corridor is embedded into the design parameters to give flexibility at detailed design stage as set out in the Design Parameters and Commitments document [REP2-021]. The full Landscape and Ecological Management Plan (LEMP) will be submitted to NYC for approval in line with Development Consent Order [REP2-004] Requirement 6. Written details of fencing and other means of enclosure must be submitted to NYC for approval under Requirement 9. The Public Rights of Way Management Plan must be submitted to and approved by NYC under Requirement 16. With regards to views towards Gateforth Wood, Hambleton Hough and Brayton Barff, the LVIA [APP-048], with supporting detail in Appendix 10.3 [APP-169] and Figures 10.4.2 and 10.5 [REP-2-051] includes consideration for locally important views and landscape features. The Applicant notes that the ZTV with screening, predicts no intervisibility within Brayton Barff LILA and further fieldwork has not identified any intervisibility with the Proposed Development. Appendix 10.4 Photography and Photomontages LR2 [REP2-076] includes multiple viewpoints that capture views towards Hambleton Hough (VP49, VP62, VP64) and Gateforth Wood (VP12, VP21, VP22, VP23, VP66, VP70).	

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		The LVIA does not identify significant visual effects during operation in relation to maintaining visibility of these locations.	
Community benefits	In the LIR, NYC requested clarification, reference LIR-NYC-17 [REP2-117], regarding the community benefits package, NYC subsequently requested an 'in writing' confirmation regarding the Applicant's intention to continue dialogue with NYC.	On 16 September 2026, the Applicant provided follow up clarification to NYC of the Applicant's commitment to discussing the scope of local community benefits with North Yorkshire Council. The Applicant directs NYC to their Response to the Local Impact Report [REP2-117] where it is noted at LIR-NYC-17 in writing that the Applicant will continue to engage locally to shape the Community Benefit Fund that works for the community. To this end, please note that this SoCG has been signed by the Applicant, further confirming this position.	
Opportunities for enhancements	NYC noted in the LIR [REP1-006], reference LIR-NYC-18 [REP2-117] that some advanced planting is proposed to reduce the risk of glint and glare near roads and other sensitive receptors from the beginning of operation. The Council requests that the examination further investigates the opportunities for advance planting (in advance of operation) to address the adverse effects on sensitive receptors and improve the landscape and visual environment.	It was agreed on 16 September 2026 and confirmed in writing on 05 October 2026, that the Applicant's follow up clarification that the Design Approach Document (DAD) [APP-216] explains the measures embedded in the design of the Proposed Development that will deliver enhancements over and above the essential mitigation. Further information regarding advance planting is included in the updated Outline Landscape and Ecological Management Plan (OLEMP) [REP2-095], as well as the Permitted Preliminary Works Environmental Management Plan [REP2-113] The full Landscape and Ecological Management Plan (LEMP) will be submitted to NYC for approval in line with Development Consent Order [REP2-004] Requirement 6.	

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ODEMP	NYC noted in the LIR [REP1-006], reference LIR-NYC-19 [REP2-117] concerns that some of the extensive areas of green infrastructure to be established as part of the mitigation measures may be at risk of removal without mechanisms for its protection. Removal of extensive areas of green infrastructure would be contrary to national and local policy. The Council recommends that mechanisms for working with landowners to retain and protect green infrastructure during operation and subsequent decommissioning should be explored and that this matter is considered further during the examination. On 16 September 2026, the NYC team requested that the Applicant discuss the position with their legal team to explore potential for a voluntary commitment to retain green infrastructure	It was agreed on 16 September 2026 (confirmed on 05 October 2026), that the Applicant's follow up clarification confirms that post decommissioning, planning and environmental law will still apply to the land that is currently in the Order limits. By the time the Proposed Development is decommissioned, habitats would be well established, and any change by the landowner would have to account for policy and legal considerations. There is no precedent for any DCO imposing obligations on landowners post decommissioning. As such, it would not be appropriate for the DCO to impose such obligations on landowners. Whilst the Applicant may encourage retention of green infrastructure they cannot oblige. As a result, the Applicant cannot put in place any formal provision for retention in the draft Order.	
OLEMP and the LNRS	The Council considers that there is opportunity for the OLEMP (LIR-NYC-20 [REP2-117]) to be strengthened in terms of alignment with the North Yorkshire and York Local Nature Recovery Strategy (LNRS). This alongside confirmation of green infrastructure multifunctional benefits (or benefits from nature) arising from the creation and management prescriptions in the OLEMP. The OLEMP should be more explicit about which prescriptions align with	Agreed, post 16 September 2026 meeting with NYC, to include clear links in the Outline Landscape and Ecological Management Plan (oLEMP) [REP2-095] to the LNRS. The oLEMP will be updated at Deadline 4.	

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	the LNRS overarching priorities and the priorities in the seven 'habitat' categories and their associated measures (actions).		
Approval mechanisms	With reference to LIR-NYC-25 to 28 [REP2-117], the Council sought clarification regarding the mechanisms for approval of the OEM, fencing and other forms of enclosure, Public Rights of Way and permissive paths.	Information requested was set out in the Applicant's Response to the Local Impact Report [REP2-117] and further information was provided on 16 September 2026, where the Applicant provided clarification regarding schedule 16 of the Draft Order [REP2-004] which sets out the mechanism for applications to, and approvals by, NYC. NYC has confirmed acceptance of the clarifications provided on 05 October 2026.	
Solar Development Site 2	Subsequent to the NYC Local Impact Report [REP1-006], comments reference LIR-NYC-13 [REP2-117], regarding the potential visual impact of the BESS and substation on the A63, a request that they be set back further from the A63 was raised. Further information in the oLEMP was suggested, detailing proposed screening and methods for creating more structural diversity. A cross section of the equipment, boundary and A63 was requested. The Council advised on 05 October 2026 that it remains concerned about the location of the 275kV substation and the BESS on Site 2 and considers the adverse effects of these two components have not been sufficiently assessed as reported in Appendix 10.3	Further to the response set out in the Applicant's Response to the Local Impact Report [REP2-117], the Applicant's team has further explained that the assessment of the BESS and substation is based on a worst case scenario following the principles set out in the Planning Inspectorate's Advice Note Nine: Rochdale Envelope, which allows for a degree of flexibility to accommodate aspects of design that are not yet fixed. The Applicant has followed up with the NYC planning lead, to reiterate the importance of the Project Objectives, Design Vision and Design Principles set out in the Design Approach Document [APP-216]. With reference to these, the Applicant would point to Requirement 4 of the draft Development Consent Order [REP2-004] which secures detailed approval Work No.2 for the BESS and Work No.3 for the 275 kV substation. The Applicant has provided justification for the location of the BESS and	

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	Visual Baseline and Effects, nor mitigated adequately for those adverse effects. (See also 275 kV substation layout & elevation Site 2 & Illustrative BESS layout) **EN0110012-000702-06.03.02.02 ES Volume 3 - Appendix 2.2 Indicative Engineering Drawings and Sections (D2).pdf. As conveyed on the call with representatives of the Applicant's on 16 September 2026, NYC asked that consideration be given to setting the substation and BESS further back from the main road corridor to allow for increased mitigation, such as planting and mounding that is more in keeping with local landscape character. Setting the infrastructure further back into site would also be outside the immediate view (referencing the 60 degrees cone of vision) of users of the A63. In addition, there are other existing site features, such as the wooded western boundary to Site 2, that could help with mitigation (providing backgrounding and screening) through more careful siting of the substation and BESS.	substation within Environmental Statement Volume 3, Appendix 3.1: Site Selection Assessment Report [AS-019].	
Ecology and biodiversity			
Ornithology mitigation and monitoring	With reference to LIR-NYC-99 [REP2-117], NYC acknowledges that the revised oLEMP has substantially addressed the Council's request for breeding bird monitoring and adaptive	Agreed that updates to the oLEMP [REP2-094] and oOEMP [REP2-091], shared in the Applicant's Response to the NYC Local Impact Report [REP2-117] address NYC's request for clarity on operational ecological monitoring and reporting.	

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	management. The general monitoring framework is therefore agreed.		
Ornithology mitigation and monitoring	With reference to LIR-NYC-100 [REP2-117], species-specific success criteria and monitoring requirements associated with the BMA and any additional ground-nesting bird mitigation remain under discussion.	Agreed that species monitoring within the BMA (SDS 1) will be consolidated within the oBMAMP for both breeding and non-breeding birds. For the remainder of the Order Limits, monitoring requirements will be placed within the oLEMP. The Applicant notes that no fixed numerical thresholds will be used to determine mitigation success; rather, success will be evaluated against the overall objectives of the mitigation and the outcomes of ongoing monitoring. The oBMAMP and oLEMP will be updated for Deadline 4.	
Breeding bird mitigation areas	With reference to LIR-NYC-105 [REP2-117], NYC accepts the corrected breeding bird baseline presented in the Updated Ground Nesting Bird Baseline. However, NYC does not agree that the ecological consequences of the materially increased baseline have been adequately addressed. NYC remains concerned that the compensatory capacity of the BMA is insufficient to address the loss of skylark territories across the development, particularly at Site 4, and considers that additional compensation is required.	15th September 2026 NYC confirmed agreement and acceptance of the conclusions of the Updated Ground Nesting Bird Baseline [REP2-114]- minor adverse to neutral at local level (not significant). However, the Council noted concerns regarding the extent of mitigation proposed for skylark only. In response, the Applicant proposed additional ground-nesting bird habitat "Bird Habitat Areas" provision within SDS 2 and SDS 4 and is updating the Outline Environmental Masterplan (OEM) accordingly. While NYC welcomed this in principle, it advised that it could not conclude on the adequacy of the proposals until details of the location, extent, management, monitoring, and securing mechanism were provided. The updated OEM, including the proposed Bird Habitat Areas within SDS 2 and SDS 4, was issued to NYC on 02 October 2026. At time of writing,	

Topic Topic	NYC position	Applicant position	Status
		the Applicant is awaiting NYC's response and will engage prior to the next deadline (4). The OEM will be updated regardless of the Examining Authority's decision on the Applicant's Request for Change [CR1-001].	
Bird Mitigation Area Management Plan (BMAMP) and the Outline Landscape and Ecological Management Plan (oLEMP)	Through further dialogue between the Applicant and NYC the principle of consolidating all bird mitigation area (BMA)-specific objectives, management prescriptions, success criteria, monitoring and adaptive management within the BMAMP would resolve the current ambiguity between the oBMAMP and revised oLEMP.	Agreed 15 September 2026 to update the oLEMP [to be updated at Deadline 4] and OBMAMP [to be updated at Deadline 4] to remove the BMA from the remit of the oLEMP entirely. All measures relevant to the BMA (SDS1) will therefore be only secured through the BMAMP only. NYC will review the proposed Deadline 4 revisions to determine whether the inconsistency has been satisfactorily resolved and whether the revised BMAMP provides sufficient certainty regarding delivery of the ecological outcomes relied upon but the Applicant is hopeful this matter will then be agreed.	
Habitat connectivity and mammal movement	With reference to LIR-NYC-104 [REP2-117] , NYC is satisfied that the updated Design Parameters and Commitments Document [REP2-021] now establishes sufficient principles for operational fencing, mammal permeability and connectivity against which detailed proposals can subsequently be assessed.	The Design Parameters and Commitments Document [REP2-021] has been updated to define matters relating to fencing measures. The Parameters and Commitments Document [REP2-021] updates were discussed with NYC on 15 September 2026 and confirmed as accepted.	
BNG	Under LIR-NYC-107 [REP2-117] , the Council requested further clarity re commitment to 10% or more BNG, and regarding securing, monitoring and auditing predicted outcomes over lifetime of	The oLEMP [REP2-094] is the mechanism by which BNG is secured for the Proposed Development. The full LEMP is in turn secured by DCO Requirement 6 [REP2-004] .	

Topic Topic	NYC position	Applicant position	Status
	development, including the implication of the under-panel shaded environment	Updates regarding the oLEMP were shared in the Applicant's response to the NYC LIR and the oLEMP update was published at Deadline 2 [REP2-094]. The updates were discussed and NYC on 15 September 2026. NYC subsequently confirmed on review of the draft SoCG on 30 September 2026 that the mechanism in place is accepted stating that "NYC accepts that the detailed LEMP secured through Requirement 6 provides an appropriate mechanism for securing, monitoring and managing the BNG outcomes of the development. NYC does not seek a separate voluntary percentage target".	
Protected species	Reference LIR-NYC-103 and LIR-NYC-104 [REP2-117] , NYC considers the updated provisions for GCN, water vole and associated precautionary survey/working methods sufficiently addressed at outline stage.	Updates regarding the oCEMP and the oLEMP were shared in the Applicant's Response to the NYC Local Impact Report [REP2-117] and both documents were updated and published at Deadline 2 [REP2-095]. The updates were discussed and NYC confirmed acceptance in a follow up meeting with the Applicant on 15th September 2026.	
oCEMP	With reference to LIR-NYC-109 [REP2-117], the Council requested that the Applicant clarify provisions for the Ecological Clerk of Works (ECoW), stop procedures, incident reporting, and management of outcomes. Clarify provisions for fencing design where these are used for mammal movement/habitat connectivity.	The oCEMP [REP2-089] and oLEMP [REP2-095] have been updated at Deadline 2 regarding the role and authority of the Ecological Clerk of Works and to strengthen stop procedures, incident reporting and management of outcomes. This was confirmed in the Applicant's Response to the LIR [REP2-117]. Updates were discussed with NYC on 15 September 2026 and agreed as accepted.	
oDEMP	With reference to LIR-NYC-109 [REP2-117] comments in relation to the outline	The Applicant's position within ES Volume 1 Chapter 10 - Landscape and Visual [APP-048] is that the proposed	

Topic Topic	NYC position	Applicant position	Status
	Decommissioning Environmental Masterplan, NYC acknowledges the Deadline 2 amendments to the oDEMP concerning ecological receptors and the future baseline. However, the Council's wider concern regarding the potential loss of mature mitigation habitats and green infrastructure following decommissioning remains under consideration through the Examination.	green infrastructure would be retained, except where required for access. However, the Applicant notes that post-decommissioning, landowners may choose to return the land to arable farming. It is expected that established features such as hedgerows and woodland are likely to remain due to their benefits for both agriculture and the wider landscape. The Applicant has clarified this position within the Responses to the ExA's first written questions [EN0110012/APP/LVS/08.25], Q1.9.14. and further notes that the same point is set out above where it is recorded that it was agreed on 16 September 2026 (confirmed on 05 October 2026), that the Applicant's follow up clarification confirms that post decommissioning, planning and environmental law will still apply to the land that is currently in the Order limits. By the time the Proposed Development is decommissioned, habitats would be well established, and any change by the landowner would have to account for policy and legal considerations.	
Requirements	NYC agrees that Requirements 6, 7, 12, 13 and 19 provide the principal mechanisms for securing the relevant ecological management plans. However, whether amendments to those Requirements or other DCO mechanisms are necessary remains under discussion pending the Applicant's Deadline 4 amendments to the BMAMP/oLEMP and details of any additional ground-nesting bird compensation.	The Applicant advised NYC on 15 September 2026 that no change to the DCO Requirements is necessary on the basis that the updates to the oLEMP, oBMAMP, oCEMP, oOEMP, oDEMP, are secured through Requirements 6, 7, 12, 13, and 19 respectively and a BNG strategy is secured through Requirement 8. NYC will review the proposed Deadline 4 revisions to the BMAMP and oLEMP to determine whether the revised BMAMP provides sufficient certainty regarding delivery of the ecological outcomes relied upon but the Applicant is hopeful this matter will then be agreed.	

Topic Topic	NYC position	Applicant position	Status
Heritage			
Conservation	Regarding LIR-NYC-31 [REP-117] , the Applicant carried out an assessment of the Escrick and Monk Fryston Conservation Areas ahead of the NYC Conservation Area Appraisals being available in the public domain.	The Council accepts the Applicant's conclusions, including no substantial harm and agreement that limited residual harm could be balanced against the Proposed Development's public benefits. The Conservation Area Assessments are presented in ES Appendix 8.5 Statements of Significance and Impact Assessment [APP-165] .	
Conservation	Regarding LIR-NYC-33 [REP-117] , concerns were raised regarding the BESS siting in the context of a Grade II listed Milestone – NHLE 1148541	The impacts from the development on the listed Milestone are highly limited. NYC agree with this as the significance of the heritage asset is primarily drawn from its relationship to the road and not from the field behind it.	
Conservation	Regarding LIR-NYC-36 [REP-117] , the Council noted the rationale for limited mitigation was confusing and requested clarifications.	This matter has been discussed with NYC on 29 September 2026. It has been agreed that the assessment of heritage impacts on buried archaeological remains has demonstrated substantial harm without application of mitigation, and with reference to identified residual harm, the scheme can proceed. With regards to built heritage, embedded mitigation at Birkin House and more general landscape mitigation measures were presented within the Outline Environmental Masterplan [updated alongside this submission]. It was accepted that no substantial harm will occur and that any harm should be weighed against the public benefit of the scheme.	
Archaeology	Regarding LIR-NYC-41 [REP-117] , the Council noted the Proposed Development could have an impact on the setting of Scheduled Monuments and undesignated heritage assets of interest.	The Applicant in follow up discussions with NYC's archaeology lead has confirmed that potential for impacts on setting of scheduled monuments has been considered and no findings of an effect above minor adverse have been determined. NYC accepts this assessment finding.	

Topic Topic	NYC position	Applicant position	Status
Environmental Health			
Noise and vibration	Request for a fixed operational noise limit (reference LIR-NYC-03 [REP2-117]).	The Applicant has committed to undertaking a noise impact assessment at detailed design stage and demonstrating that operational noise would not give rise to materially new or materially different effects that are worse than those reported in the Environmental Statement. However, it is not agreed to establish a fixed operational noise limit. The rationale: operational noise is highly dependent on the detailed design, which will continue to evolve post consent. In addition, the baseline background sound level at some receptors is particularly low. In such circumstances, reliance on a fixed noise limit or a specific level of exceedance above background sound can be unhelpful in determining whether adverse impacts would actually result in a significant effect. As discussed in Chapter 11 Noise and Vibration [APP-049] the assessment considers the wider acoustic context, including estimated absolute noise levels within dwellings and reference to relevant guidance on absolute sound levels, rather than relying only on a comparison with background sound levels. The Applicant and NYC's Environmental Health team are due to meet 09 October 2026 to continue dialogue on this matter.	
Human Health			
Human health	Concerns over the impact of the proposal on public health, in particular impacts on mental health and wellbeing. The assessment methodology must robustly consider impacts on the existing and	The Applicant has prepared a Health and Wellbeing Summary Statement in response the Examining Authority's question ExQ1, question 11.4. This Summary Statement will be made available to NYC's Human Health team	

Topic Topic	NYC position	Applicant position	Status
	future population over the expected 60-year life span of the project. Appropriate monitoring and review mechanisms are required to be secured through the DCO where necessary.	and follow up dialogue will be arranged prior to Deadline 4. The outcome of ongoing dialogue will be reported in the next iteration of this Statement of Common Ground.	
Best and most versatile land			
Assessment – BMV and site selection	North Yorkshire Council is concerned over the use of a significant amount of BMV for the project and further discussion is welcomed to better understand the choices for land take including options appraisals and mechanisms used.	The Applicant's site selection process is set out in the Site Selection Assessment Report [AS-019]. As noted in ES Chapter 5 [APP-043], of the 486 ha of BMV land within the Proposed Development would represent approximately 1% of the likely BMV land in Selby District and 0.08% of the likely BMV land in the Yorkshire and Humber Region. The Applicant and NYC expect to resolve this matter in advance of Deadline 4.	
Flooding			
Legislation and Policy	The outline drainage strategy also refers to the National Standards for SuDS guidance as well as North Yorkshire Council's guidance – we would recommend that this is included in the list of relevant policies in Table 15.3 of Chapter 15 of the ES.	The Applicant does not intend to update ES chapters for matters such as this. Requirement 10 of the draft Order [APP-017] means details of the surface water drainage scheme will be submitted to NYC for approval. NYC confirmed acceptance of this response by correspondence 05 October 2026.	

Appendix 1: Record of Engagement

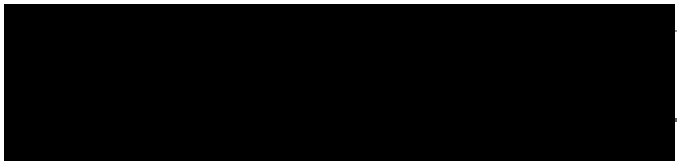
Date	Method of engagement	Purpose / description
Archaeology		
07/01/2025	Email	Trench Plans for Site 4 agreed
20/01/2025	MS Teams Meeting	Project introduction meeting with Historic England and the LPA Conservation Officer.
21/02/2025	MS Teams Meeting	To discuss trial trenching process.
04/08/2025	Email	NYC confirmed they were happy with non-standard trench layouts if applicable in Trial Trenching specification.
06/06/2025	MS Teams Meeting	Meeting to discuss approach to evaluation trial trenching. Agreed that an overarching WSI could be produced that details the methodology, which trench plans would be appended to (allowing available trenching in Site 4 to commence). The trenching will be targeted on archaeological features, geophysical anomalies identified as having an archaeological potential, and in blank areas where geophysical anomalies appear to be petering out to check if they are continuing without a geophysical response.
06/06/2025	Email	Comments received on WSI - request to move a trench to the three pit like anomalies in Field 4.6. Agreement of remote sign off of trenches by email.
18/06/2025	Email	WSI approved.
26/06/2025	Email	Request that trench sign off sheets include summary of concordance of results to geophysical survey.
23/07/2025	Email	Trench plans for Sites 1 and 3 agreed
28/07/2025	MS Teams Meeting	Review of PEIR and updates on project/outstanding work for ES.
22/12/2025	MS Teams Meeting	Light Valley Solar Archaeological Mitigation strategy.
19/01/2025	Email	Transfer of Trial Trenching Reports.
29 Sept 26	MS Teams Meeting	To review LIR questions and Examining Authority's Questions 1.
Conservation		
03/01/2025	Email	General correspondence regarding the project and consultation with NYC planning team.
03/01/2025	Telephone	General discussion regarding the project.
20/01/2025	MS Teams Meeting	Project introduction meeting with Historic England and the LPA Conservation Officer.
01/10/2025	Email	Clarification of S42/43 responses regarding mix up between sites 4 and 5.
29/09/2026	MS Teams Meeting	To review LIR questions and Examining Authority's Questions 1.
Ecology		
01/10/2024	MS Teams Meeting	Ecology Officer Meeting.
20/03/2025	MS Teams Meeting	Agreement of scope for designated sites, habitats, species surveys, and cable corridor, and a review of scoping comments.
28/03/2025	Email	Agreement of scope for SINC's.
02/04/2025	Email	Confirmation of morph survey requirement.
15/07/2025	MS Teams Meeting	Update post PEIR submission.
02/10/2025	MS Teams Meeting	GCN approach for ES.
11/12/2025	Email	Agreement on survey approach for roosting bats.
09/02/2026	Email	Email with an update on GLTA results

Date	Method of engagement	Purpose / description
02/06/2026	MS Teams Meeting	Post-submission meeting, covering ecological matters raised following submission, including bird data and mitigation, Great Crested Newt surveys, and water vole mitigation.
04/06/2026	Email	Correspondence regarding ponds with no access for GCN surveys.
15/09/2026	MS Teams Meeting	Applicant's Response to the LIR (version 1) and SoCG meeting.
02/10/2026	Email	Update regarding the Applicant's Proposed Change Notification [CR1-001] to progress assurance and wording regarding additional Bird Mitigation Area provisions.
Environmental Health		
22/01/2025	MS Teams Meeting	Discussion about environmental sound survey and approach to construction and operational noise and vibration.
02/07/2025	Email	Feedback on noise and vibration chapter of PEIR
08/09/2025	Email	Responses to NYC comments on PEIR.
12/09/2025	Email	2nd round of responses to NYC comments on PEIR.
09/09/2026	Email	Follow up regarding request for operational noise limit and Applicant's Response to the LIR (Version 1).
9/10/2026	MS Teams Meeting	Meeting arranged to resolve remaining area for potential common ground.
Public Health		
13/02/2025	MS Teams Meeting	To discuss public health following receipt of scoping opinion
07/01/2026	MS Teams Meeting	To discuss the statutory consultation comments received from NYC and approach and preliminary findings of the Cumulative Health Effects Topic Paper.
05/05/2026	MS Teams Meeting	To review the Topic Paper on Cumulative Health Effects
	Email	
15/07/2026	Email	Follow up request for response on the Topic Paper on Cumulative Health Effects
16/09/2026	Email	Follow up request for response on the Topic Paper on Cumulative Health Effects
05/10/2026	Email	Update confirming the Applicant is preparing a Health and Wellbeing Summary Statement in response to the ExA's question 11.4.
Flood		
27/11/2025	MS Teams Meeting	Call to discuss temporary and permanent watercourse crossings for Light Valley Solar.
Highways		
31/01/2025	MS Teams Meeting	Introduction meeting.
22/08/2025	MS Teams Meeting	Progress and discussion on routing options and proposed approach A63/A19 at Riccall / traffic management.
16/10/2025	MS Teams Meeting	Update on transport assessment and traffic flows.
11/11/2025	MS Teams Meeting	Wider general discussion about site accesses and cable corridor proposals.
08/05/2026	MS Teams Meeting	Post-submission engagement to discuss the proposed highways approach, including construction traffic routing, site access arrangements, construction methodology, and change areas. Also identification and discussion of outstanding transport matters.
28/05/2026	Email	Issue of a 'guide to finding location and detail of proposed street works to be authorised' to NYC

Date	Method of engagement	Purpose / description
25/06/2026	Site visit	Site visit with the Applicant and NYC Highways Team to a series of locations within the study area to review key access routes associated with LVS.
21/07/2026	Site visit	Site visit with the Applicant and NYC Highways Team to a series of locations within the study area to review key access routes associated with LVS.
08/09/2026	MS Teams Meeting	Applicant's Response to the LIR (version 1) and SoCG meeting.
17/09/2026	MS Teams Meeting	Applicant's Response to the LIR (version 1) and SoCG meeting.
01/10/2026	MS Teams Meeting	To progress outstanding matters in the SoCG
Landscape		
23/10/2024	Email	To confirm Locally Important Landscape Areas data.
19/02/2025	Email	Draft Representative viewpoints pack sent for comment.
26/02/2025	MS Teams Meeting	To discuss landscape designation policy, draft viewpoints and environmental masterplan process.
03/04/2025	Email	Clarification of ZTV methodology.
05/04/2025	Email	Initial response from NYC landscape, prior to more detailed response received 06/03/2025.
06/04/2025	Email	Comments on representative viewpoints received and incorporated into photography and PEIR assessment.
23/06/2025	Email	Notification of PEIR publication and invitation to discuss findings.
10/07/2025	MS Teams Meeting	Preliminary feedback from NYC focusing on viewpoint locations in relation to the scheme details published at PEIR.
29/07/2025	Email	Response to feedback from 10 July meeting; shared updated ZTVs and viewpoint details.
12/08/2025	Email	Follow-up on ZTV review and request for viewpoint agreement.
05/09/2025	Email	To confirm ES viewpoints and share draft photography for Light Valley Solar viewpoints that were requested by NYC.
10/09/2025	Email	Follow up to confirm the field work for cable corridors has been done.
24/09/2025	MS Teams Meeting	Response to NYC queries about viewpoints, finalising on viewpoints and photomontages.
12/11/2025	Email	NYC response to viewpoints and photomontages proposed - agreement received from NYC regarding viewpoints.
08/06/2026	MS Teams Meeting	Meeting to discuss Relevant Representation comments received
13/07/2026	Site visit	Site visit with the Applicant and Landscape Officers at NYC.
16/09/2026	MS Teams Meeting	Applicant's Response to the LIR (version 1) and SoCG meeting.
PRoW		
19/02/2025	MS Teams Meeting	Describe scheme and Confirmed Arup are using the correct datasets for PRoWs.
16/07/2025	MS Teams Meeting	Discuss permissive paths and OEM
05/08/2025	MS Teams Meeting	Discuss permissive paths and OEM
23/09/2025	MS Teams Meeting	Discussion of proposed diversions on site 1 and permissive path enhancements
Local Planning Authority		
18/09/2024	MS Teams Meeting	Introduction
06/11/2024 – 08/12/2025	MS Teams Meeting	Monthly Steering Group: Regular meeting between the Applicant and NYC LPA to review progress and resolve key issues. Between

Date	Method of engagement	Purpose / description
		06/11/2025 and 08/12/2025, there were 13 Steering Group meetings.
23/03/2026	MS Teams Meeting	Restart Meeting (post-submission)
08/04/2026 - Ongoing	MS Teams Meeting	Monthly Steering Group: Regular meeting between the Applicant and NYC LPA to review progress and resolve post-submission matters.
15/04/2026	MS Teams Meeting	Technical Disciplines Meeting including landscape, ecology, heritage (below ground), and planning.
24/09/26	MS Teams Meeting	To progress outstanding matters in the SoCG
30/09/2026	MS Teams Meeting	To progress outstanding matters in the SoCG
05/10/2026	MS Teams Meeting	To progress outstanding matters in the SoCG

Appendix 2: Signing Sheet

		
Position	Head of Development Management	
On behalf of	North Yorkshire Council	
Date	06/10/2026	
		
Name	Annette Lardeur	
Position	Senior Development Manager	
On behalf of	Light Valley Solar Limited	
Date	06/10/2026	



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