Light Valley Solar

08.46 Applicant's Response to Interested Parties Deadline 3 Comments on Information Received at Deadlines 1 and 2

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Light Valley Solar

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended)

Light Valley Solar

Deadline 4 Submission

The Applicant's Response to Interested Parties Deadline 3 comments on information received at Deadlines 1 and 2

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1 Introduction

1.1 Purpose of this document

1.1.1 This document provides the Applicant's response to all relevant documents submitted by Interested Parties at Deadline 3.

1.2 Structure of the report

1.2.1 Section 2 of this report is tabulated to include all comments received by Interested Parties and a response to each comment provided by the Applicant.

1.2.2 The submissions made by Interested Parties, as well as references to the Application documentation are provided in accordance with the referencing system set out in the Planning Inspectorate's Light Valley Solar Examination Library.

Table 1-1 List of Acronyms for Submission Documents

Term	Definition
AIL	Abnormal Indivisible Load
APFP	Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended)
BCA	Bilateral Connection Agreement
BESS	Battery Energy Storage System
CAP	Community Access Point
CCTV	Closed-Circuit Television
CTMP	Construction Traffic Management Plan
DAD	Design Approach Document
DCO	Development Consent Order
EIA	Environmental Impact Assessment
EN-1	Overarching National Policy Statement for Energy
EN-3	National Policy Statement for Renewable Energy Infrastructure
ES	Environmental Statement
ExA	Examining Authority
ha	Hectare
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicle
kV	Kilovolt
LVIA	Landscape and Visual Impact Assessment
LVS	Light Valley Solar
MW	Megawatt
NESO	National Energy System Operator
NETS	National Electricity Transmission System
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
NYC	North Yorkshire Council
OCEMP	Outline Construction Environmental Management Plan
OCTMP	Outline Construction Traffic Management Plan
OOEMP	Outline Operational Environmental Management Plan
OPROWMP	Outline Public Rights of Way Management Plan
PRoW	Public Right of Way
PV	Photovoltaic
RVAA	Residential Visual Amenity Assessment
RVAT	Residential Visual Amenity Threshold

Term	Definition
SDS	Solar Development Site
TA	Transport Assessment
TEC	Transmission Entry Capacity
UK	United Kingdom
VP	Viewpoint

2 Applicant's Response to Interested Parties

2.1 Overview

2.1.1 Table 2-1 provides the Applicant's response to Interested Parties' Deadline 3 comments on information received at Deadlines 1 and 2.

Table 2-1 Applicant's Response to Interested Parties' Deadline 3 comments on information received at Deadlines 1 and 2

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
REP3-058 Nick Billingham	NB_01	**Residential amenity and living conditions** As the Examining Authority have pointed out, there is clearly going to be substantial degree of visual change to our property and a severe impact on our residential amenity. There are only 4 windows in the whole house that will not be affected. The RVAT represented a very high threshold to private views and residual effects will clearly remain at year 15, this has clearly (and intentionally) been underplayed by the Applicant. A full RVAA should have been carried out, as we have mentioned throughout this whole saga. Our position remains unchanged here and we would again refer to the recently consented Botley West Solar Farm which requires a minimum offset of at least 250m from residential curtilages. Our home is situated immediately adjacent to Solar Development Site 6 and will be directly affected by the proposed Light Valley Solar NSIP. Our concerns remain regarding the cumulative effect of the development upon:	The Applicant notes that Change 7 within the **Change Application [CR1-001]** removes approximately 7.13 ha of solar PV infrastructure directly south of Milford Lodge and Milford Lodge Cottage, replacing this with grassland managed as bird habitat. The Applicant's assessment of the proposed change within the Supporting Environmental Information Report concludes that the visual effects experienced by residents of Milford Lodge and Milford Lodge Cottage reduce from moderate adverse (significant) to minor adverse (not significant) at year 1 of operation, remaining minor adverse and not significant at year 15 of operation. Please see responses to NB_03 to NB_16 below.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		▪ Our home and residential amenity; ▪ Our privacy and enjoyment of our property; ▪ the landscape and setting of our home; ▪ construction disturbance; ▪ the proposed use of Common Lane as construction access for Solar Development Sites 6 and 7; ▪ highway safety; ▪ pedestrian and equestrian safety; and ▪ our ability to safely enter and leave my our home. I ask the Examining Authority and ultimately the Secretary of State to consider these effects expressly in the context of our rights under the Human Rights Act 1998, particularly: ▪ Article 8 of the European Convention on Human Rights – respect for private and family life and the home; and ▪ Article 1 of the First Protocol – peaceful enjoyment of possessions. My objection is not simply that we dislike the appearance of solar development or additional traffic. The issue is the exceptionally concentrated burden which the proposed development would place upon our home and the surrounding residential environment.	
	NB_02	**Milford Lodge Cottage** Milford Lodge Cottage is particularly affected by Site 6. The Applicant's own Environmental Statement identifies Milford Lodge and Milford Lodge Cottage as VP46. The Applicant assesses the susceptibility of the residential receptor to change as high. This is despite there being a very high threshold!	Please see response to NB_01 above.

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		It predicts: <u>Construction</u> Magnitude of impact: HIGH Effect: MODERATE ADVERSE (SIGNIFICANT) <u>Year 1 of operation</u> Magnitude of impact: HIGH Effect: MODERATE ADVERSE (SIGNIFICANT) The Applicant therefore accepts that Milford Lodge Cottage will experience a significant adverse effect. The Applicant further acknowledges that the existing environment contains expansive agricultural fields and retains an open rural character and that, even once proposed mitigation planting has matured, the existing openness will be changed to a more enclosed character. These findings should form an important part of the Human Rights and residential amenity assessment.	
	NB_03	**Article 8 – respect for our home and private life** Article 8 protects the right to respect for private and family life and the home. I recognise that Article 8 does not provide an absolute right to prevent development, nor does it provide an absolute right to retain an existing view. That is not the basis of our objection. My concern is the cumulative effect upon the environment and enjoyment of our home arising from: ▪ the proximity of Site 6; ▪ extensive solar infrastructure immediately adjoining the residential environment; ▪ the transformation of the existing open agricultural setting;	The Applicant notes the Interested Party's concern that the cumulative effects of the Proposed Development may affect the enjoyment of Milford Lodge Cottage. These matters have not been considered in isolation. An in-combination assessment has been undertaken for Common Lane, adjacent to Milford Lodge (Viewpoint 46), to consider the combined effects arising from traffic and transport, noise, landscape and visual, dust, vibration and glint and glare. The findings are reported in **Chapter 17: Cumulative and In-Combination Effects [REP2-**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		▪ the enclosure of the property by development and mitigation planting; ▪ construction noise; ▪ construction traffic; ▪ piling and heavy machinery; ▪ temporary lighting; ▪ workers operating close to the property; ▪ potential effects upon privacy; ▪ long-term operational infrastructure; ▪ security infrastructure and maintenance activity; and ▪ the proposed use of the only access to our home by construction HGVs. These matters should not be considered independently from one another. They combine to affect the way in which our home can be safely, privately and peacefully occupied.	**047]**. The assessment concluded that the in-combination effects would not increase the significance of effects identified in the individual topic assessments and that no additional significant in-combination effects are predicted. Mitigation measures to reduce adverse effects are outlined in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** including measures to reduce noise from machinery and measures to manage construction lighting. Details of the management of security arrangements during construction, such as gates and fencing, are set out in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** and these have been assessed within the **LVIA [EN0110012/APP/LVS/06.01.10] [updated alongside this submission]**. As detailed in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]**, a Community Liaison Officer will be appointed to lead discussions with local communities and also act as the primary point of contact should there be any queries or complaints, including in relation to matters of interactions with existing fencing and security features. Construction traffic using Common Lane will be managed through the detailed Construction Traffic Management Plan, including appropriate routing, timing, passing arrangements and traffic-

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			management measures, which will be agreed with North Yorkshire Council. Lighting is controlled by the principles in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]/oOEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]** the details of which the local planning authority would approve. Please see response to NB_13 in regard to privacy. The Applicant therefore considers that the potential effects on the residential amenity of Milford Lodge, including those relevant to the concerns raised under Article 8, have been appropriately assessed through both the topic-specific assessments and the dedicated in-combination assessment. Whilst the Applicant acknowledges that residents may experience changes to their surroundings during construction and operation, the Environmental Statement concludes that these effects would not give rise to significant adverse in-combination effects on the occupation and enjoyment of the property.
	NB_04	**Common Lane is the only access to our home** Common Lane is the sole vehicular access to Milford Lodge Cottage. There is no alternative public highway route by which we can enter or leave our property. This is an important distinction. The proposed construction traffic arrangements do not merely affect a road which we sometimes use. They affect the only means	The Applicant acknowledges the concern that Common Lane provides the sole vehicular access to Milford Lodge Cottage and recognises that maintaining access for residents, visitors, deliveries, service providers and emergency vehicles is an important consideration.

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		by which we can physically access our home. Any obstruction, queuing, road closure, conflict with HGVs or unsafe conditions on Common Lane therefore directly affects: our ability to enter and leave our property; access by family and visitors; deliveries; postal services; utility and maintenance vehicles; emergency services; ambulances; fire appliances; and normal daily residential life. I therefore consider the Common Lane issue to be directly relevant to the protection and enjoyment of our home under Article 8, in addition to being a highway-safety issue	The Proposed Development will not result in a temporary or permanent closure of Common Lane, and therefore it will not prevent access to Milford Lodge Cottage for personal, service or emergency vehicles. During construction, traffic management measures will be implemented through the **Outline Construction Traffic Management Plan (CTMP) [EN0110012/APP/LVS/07.12] [Updated alongside this submission]** and **oCEMP [EN0110012/APP/LVS/07.02] [Updated alongside this submission]** to ensure that access is maintained and potential impacts are minimised as far as reasonably practicable. Measures include the use of banksmen and the provision of passing places to facilitate the safe management of construction traffic. As set out in the **oCTMP [EN0110012/APP/LVS/07.12] [Updated alongside this submission]**, the site manager will be responsible for managing on-site construction activity, including identifying appropriate locations for HGV passing places along Common Lane, having regard to site operations and the need to maintain existing traffic conditions. The Order Limits therefore extend along Common Lane to provide the flexibility necessary to accommodate these measures. . Noting that access to Milford Lodge Cottage would be maintained throughout the construction, operational and decommissioning phases, and any

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			effects associated with temporary increases in construction traffic would be managed through the mitigation measures secured through the Development Consent Order requirements and associated management plans, the Applicant does not consider Article 8 rights would be infringed.
	NB_05	**Physical characteristics of Common Lane** Common Lane is, in my experience as a resident, a narrow rural single-track lane. It is under approximately 3 metres wide in most places (estimated to be over 95%) and I attach photos taken at various places along the lane. There are 2 places on the whole lane where two ordinary vehicles can safely pass. The road includes: very limited passing opportunities; narrow bridge sections; restricted and blind visibility; no conventional pedestrian footway (despite linking PROWs); little or no pedestrian refuge; drainage infrastructure and verges immediately adjacent to the carriageway; use by pedestrians; use by horse riders; connections with the public rights of way network; and residential and agricultural users who rely upon the lane. These characteristics raise serious concerns regarding the proposed introduction of repeated HGV construction movements.	The Applicant acknowledges that the Common Lane carriageway narrows in the vicinity of the railway bridge and that this section will require careful management of construction traffic. This was considered during the Applicant's site visit with North Yorkshire Council, where it was recognised that traffic management would be required to ensure that other highway users, including pedestrians and cyclists, can continue to use Common Lane safely during construction. Where construction vehicles are required to pass through constrained sections of the route, the detailed CTMP will identify and secure suitable traffic management measures in consultation with North Yorkshire Council. The measures available would include temporary traffic signal control to manage opposing vehicle movements through constrained sections of the route, the use of passing places to provide opportunities for construction vehicles and other road users to pass safely, and temporary

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			restrictions or controls on construction vehicle movements where required. The precise measures would respond to the characteristics of the individual section of highway and would be agreed with North Yorkshire Council through the detailed CTMP. The Order Limits extend along Common Lane to provide the flexibility necessary to accommodate temporary passing places, with the locations to be confirmed by the site manager and agreed with North Yorkshire Council. The existing signal-controlled arrangement at the railway bridge provides an established means of managing traffic through this constrained section, which could be supplemented or adjusted through the detailed traffic management arrangements where required. The process of agreeing the detailed CTMP will secure the appropriate measures with North Yorkshire Council having regard to the characteristics of the route and the construction activities taking place. This would allow construction vehicle movements to be appropriately managed through constrained sections of the highway and minimise potential conflicts with other road users. It is acknowledged that access to Solar Development Site 6 and 7 via Common Lane will require crossing of existing drainage ditches alongside the field boundary. To allow construction

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			access by HGVs, reinforcement of the crossing over the existing drainage ditch may be required (to be confirmed as part of the detailed design phase), with powers to do so provided for by the DCO. This will ensure that any impact on the drainage system is managed.
	NB_06	**Proposed use for Sites 6 and 7** The Applicant proposes to use Common Lane to provide access to both Solar Development Site 6 and Solar Development Site 7. There was also reference to using it for Solar Development Site 8 at the hearings but this has not been assessed in any of the existing documentation and would have an even more devastating impact on our day to day lives. This is not therefore an occasional or incidental construction access. The Applicant's documentation identifies multiple access points serving these development areas. The suitability of Common Lane should consequently be established through a detailed, route-specific safety assessment. The question should not merely be whether an HGV can physically travel down the lane. The proper question is: Can Common Lane safely accommodate construction HGVs while remaining safely available at all times to residents, pedestrians, cyclists, horse riders, emergency vehicles and other legitimate highway users?	The Applicant confirms that access to Solar Development Site 6 and Solar Development Site 7 will be via Common Lane. There will be no access provided via Common Lane in South Milford to Solar Development Site 8. As outlined in the **oCTMP [EN0110012/APP/LVS/07.12] [Updated alongside this submission]**, there will be three access points to Solar Development Site 8. Two access points will be via Phillip Lane and Scalm Lane / an unnamed road to the south; this connects to Common Lane in Hambleton (distinct from Common Lane in South Milford). The third access point to Site 8 will be via a new point from the north via Scalm Lane (new access point created). The Applicant is confident that with the secured mitigation in place, Common Lane can safely accommodate HGVs and other highway users at all times. Combined, Solar Development Site 6 and Solar Development Site 7 are expected to generate an average of three HGV deliveries (six total movements) per day during construction, and seven

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			HGV deliveries (14 total movements) during peak construction. The management of construction traffic and interactions with recreational users, including on Common Lane, is addressed through the **oCTMP [EN0110012/APP/LVS/07.12] [Updated alongside this submission]** and the **Outline Public Rights of Way Management Plan (oPROWMP) [EN0110012/APP/LVS/07.09] [updated alongside this submission]**. These documents include measures such as controlled vehicle movements, traffic routing, signage, banksmen where appropriate, and management of Public Rights of Way crossings to minimise potential conflicts between construction traffic and users of walking, cycling and equestrian routes. The Applicant notes that discussions with NYC Highways regarding traffic and transport matters is ongoing. This includes continued engagement on enhancements to the **oCTMP** measures, with updated wording proposed for Deadline 4 to further strengthen commitments relating to the management of construction traffic and the protection of vulnerable road users, including pedestrians, cyclists and equestrians. This includes setting out measures for roads such as Common Lane in South Milford, where pedestrians may rely on highway verges due to the absence of formal footways. The detailed CTMP will consider measures to maintain or provide suitable

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			areas of refuge, including reinstatement and maintenance of verges where required to support safe pedestrian passage during construction activities. Many temporary traffic management measures will be included in the detailed CTMP and therefore developed in consultation with the relevant highway authority and approved by North Yorkshire Council. As part of this process, due regard will be given to ensuring that access for emergency services is not adversely affected. The Applicant's ability to temporarily and permanently close, restrict, prohibit the use of streets or PRoW is appropriately controlled through Article 12 of the DCO. Schedule 6 identifies streets and PRoW which the Applicant is aware of that will need to be temporarily closed (Parts 1 and 2) and PRoW to be permanently closed and diverted (Part 4). The Applicant would need to consult the street authority before exercising these powers in relation to the streets listed in Schedule 6. If the Applicant needed to temporarily or permanently close, prohibit the use of, restrict the use of, authorise the use of, alter or divert any other street or PRoW, it would need to seek the consent of the street authority (who may attach conditions to such consent). Relevantly, Article 12(2) requires the Applicant to provide reasonable access for pedestrians going to or from premises abutting a street or public right of

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			way affected by the temporary closure, prohibition, restriction, alteration or diversion of a street or PRoW under the article if there would otherwise be no such access.
	NB_07	**Applicant identifies Common Lane as a sensitive receptor** The Applicant's Environmental Statement identifies Common Lane as having high receptor sensitivity to change. That acknowledgement is important. The safety and amenity implications cannot properly be assessed merely by reference to total traffic numbers or percentage increases. An additional HGV on a modern two-lane road is fundamentally different from an additional HGV on a sub-3-metre single-track road with blind locations and vulnerable road users. Daily traffic averages cannot demonstrate whether individual vehicle encounters will be safe.	As per **The Applicant's response to Nick Billingham's Deadline 1 submission [AS-040]**, the assessment presented in **Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** and **Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]** reflects industry-standard approaches to assessing the transport impacts of developments. The Applicant has assessed the effect of construction traffic on pedestrians, cyclists and equestrians using the established fear and intimidation methodology presented within **Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]**. This is an industry standard approach and provides a recognised framework for considering the interaction between traffic and non-motorised users, taking account of factors including traffic flows, HGV content and road environment. The Applicant therefore considers that

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			the methodology provides an appropriate and proportionate basis for assessing the likely effects of construction traffic on users of Common Lane and other minor roads within the study area. Any detailed traffic-management measures required during construction would be developed through the detailed Construction Traffic Management Plan, in consultation with North Yorkshire Council.
	NB_08	**HGV movements and real-life vehicle encounters** The Applicant's Transport Assessment anticipates construction HGV movements on Common Lane. The relevant question is what happens in real-life situations when an HGV meets a resident's car; two HGVs meet each other; an HGV encounters a pedestrian; an HGV encounters a cyclist; an HGV encounters a horse and rider; an HGV approaches one of the restricted bridge locations; an emergency vehicle requires access; a construction vehicle needs to reverse; or several construction movements occur close together. The Applicant should identify precisely where vehicles can pass safely. It should also demonstrate what would happen if vehicles meet between those locations.	The management of construction traffic and interactions with recreational users, including on Common Lane, is addressed through the **oCTMP [EN0110012/APP/LVS/07.12] [Updated alongside this submission]** and the **Outline Public Rights of Way Management Plan (oPROWMP) [EN0110012/APP/LVS/07.09] [updated alongside this submission]**. These documents include measures such as controlled vehicle movements, traffic routing, signage, banksmen where appropriate, and management of Public Rights of Way crossings to minimise potential conflicts between construction traffic and users of walking, cycling and equestrian routes. Deliveries will be scheduled for between 09:30 and 16:30, unless this is not practically possible following delays or an emergency (or if deliveries are required for activities requiring 24 hour activity such as HDD). Further, it is noted that in the current baseline environment, these receptors already meet existing farm traffic which can be similar to HGVsThe precise locations

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			of passing places and other localised highway measures will be identified at the detailed design stage and agreed with North Yorkshire Council through the detailed Construction Traffic Management Plan. The Order Limits provide flexibility to facilitate passing opportunities on constrained sections of the route where required, such as in the Highways Improvement Areas as noted on **ES Volume 2, Figure 1.2: Elements of the Proposed Development [APP-058]**. As set out within the application documents, the locations of passing places will be identified through the detailed construction planning process and agreed with North Yorkshire Council when the detailed CTMP is approved.
	NB_09	**Vulnerable road users** Common Lane is used on foot and on horseback and connects with public rights of way. The Applicant's own recreational proposals envisage continued and potentially increased pedestrian, cyclist and equestrian use in the area. This creates a particularly important interaction between: construction HGVs + vulnerable road users + a narrow single-track highway. Pedestrians have very limited opportunities to move away from the carriageway. Horse riders are particularly vulnerable. Large vehicles, braking noise, reversing alarms, loose materials, air brakes and unexpected vehicle movements can cause horses to react unpredictably. On a road of approximately 3 metres or	The management of construction traffic and interactions with recreational users, including on Common Lane, is addressed through the **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** and the **oPROWMP [EN0110012/APP/LVS/07.09] [updated alongside this submission]**. These documents include measures such as controlled vehicle movements, the introduction of passing places, traffic routing, signage, banksmen where appropriate, and management of Public Rights of Way crossings to minimise potential conflicts between construction traffic and users of walking, cycling and equestrian routes.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		less in width, there may be insufficient space for a horse and a large construction vehicle to safely pass. I therefore request a specific equestrian and vulnerable-road-user risk assessment for Common Lane.	The Applicant has assessed the effect of construction traffic on pedestrians, cyclists and equestrians using the established fear and intimidation methodology presented within **Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]**. This is an industry standard approach and provides a recognised framework for considering the interaction between traffic and non-motorised users, taking account of factors including traffic flows, HGV content and road environment. The Applicant therefore considers that the methodology provides an appropriate and proportionate basis for assessing the likely effects of construction traffic on users of Common Lane and other minor roads within the study area. Any detailed traffic-management measures required during construction would be developed through the detailed Construction Traffic Management Plan, in consultation with North Yorkshire Council. The **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** commits that the detailed CEMP will include relevant measures from the British Horse Society advice note on Construction Sites and Horses. On this basis, the Applicant does not consider the request for a specific equestrian and vulnerable road-user risk assessment specifically for Common Lane is necessary based on the assessment and

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			evidence submitted to date as part of the DCO Application.
	NB_10	**Blind bridge locations and visibility** The Applicant should provide objective evidence addressing: ▪ measured highway width throughout the construction route; ▪ the width at each bridge or constrained point; ▪ forward visibility in both directions; ▪ intervisibility between approaching vehicles; ▪ intervisibility between HGV drivers and vulnerable road users; ▪ swept-path analysis for the largest proposed construction vehicles; ▪ locations where a car and HGV can pass; ▪ locations where two HGVs can pass; ▪ the distance between passing locations; ▪ whether reversing would be required; ▪ whether repeated construction HGV loading is appropriate for bridge structures; ▪ whether vulnerable road users have a safe refuge at those locations; and ▪ whether the proposed Site 6 and Site 7 access points themselves provide adequate visibility.	The Applicant acknowledges that the Common Lane carriageway narrows, particularly where it crosses the two railway bridges. However, Common Lane forms part of the adopted highway network and is not subject to any restrictions on use. From west to east, the first railway bridge is managed through an existing signal-controlled arrangement, providing an established means of managing traffic through this constrained section of the highway. Traffic data collected in 2025 recorded an average of 17 HGV movements per day at the survey location to the east of the first bridge. These existing HGV movements are likely to be associated with the industrial businesses on Turpin Lane, which is accessed from Common Lane. Solar Development Site 6 and Solar Development Site 7 are expected to generate an average of six HGV deliveries per day during construction. The additional construction traffic would be managed through the detailed CTMP, with appropriate measures agreed with North Yorkshire Council having regard to the characteristics of the route and the construction activities taking place at the time.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			Following discussions with North Yorkshire Council, potential measures could include temporary traffic signals at the second railway bridge or, given the relatively low number of additional HGV movements, the use of a banksman to manage HGV movements across the bridge. The Order Limits also extend across Common Lane to the east to provide sufficient land for the installation of temporary passing places, where required. The location and detailed arrangements for these would be agreed through the detailed CTMP. This would provide additional opportunities for construction vehicles and other road users to pass safely along constrained sections of Common Lane and minimise the potential for vehicle conflict. It is acknowledged that construction traffic using Common Lane will require careful management. The detailed CTMP will therefore set out the measures necessary to appropriately manage construction vehicle movements and maintain the safe use of Common Lane by other highway users, including pedestrians and cyclists, throughout the construction period. With this in place, NYC are in agreement that use of Common Lane can accommodate passing and access.

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			Swept path analysis and visibility splay drawings for the Solar Development Accesses are provided in Annex B of **Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**.
	NB_11	**Swept-path analysis alone is insufficient** A swept-path analysis may demonstrate that an HGV is physically capable of moving through a particular section of road. It does not demonstrate that the route can operate safely when other users are present. There is an important distinction between: "An HGV can fit along this road" and: "This road can safely function as a construction HGV route while remaining open to existing highway users." The second question is the one which matters.	The Applicant notes this comment and confirms that the construction access strategy was developed following consideration of a range of operational, environmental and highway factors. All identified construction routes form part of the adopted highway network and Common Lane is not subject to any restrictions on use. Common Lane is also already used by HGV traffic, with the 2025 traffic surveys recording an average of 17 HGV movements per day. The Applicant recognises the need to maintain safe conditions for all highway users during the construction programme, while ensuring that access is maintained for residents, businesses, service providers and other users of the local highway network. Accordingly, the **oCTMP [EN0110012/APP/LVS/07.12] [Updated alongside this submission]** includes measures to manage construction traffic and has been further updated at

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			Deadline 4 to incorporate additional commitments relating to vulnerable road users. Measures include route-specific traffic management, driver briefings, signage, the use of banksmen where required, management of interactions with Public Rights of Way, temporary passing places on Common Lane, and controls on the timing and routing of construction vehicles. The detailed CTMP will be approved by North Yorkshire Council prior to construction and will identify the location-specific measures required on Common Lane, having regard to the construction activities taking place, to maintain the safe operation of the highway for all users. Given the existing use of some of Common Lane by HGVs, together with the relatively limited additional construction traffic associated with the Proposed Development and the range of measures secured through the oCTMP, the Applicant considers that the additional construction traffic can be appropriately and safely accommodated on Common Lane. With this mitigation in place, NYC are in agreement that use of Common Lane can accommodate passing and access.

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			Swept-path assessments for the Solar Development Accesses are presented in **Annex B of Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission].** These demonstrate that the anticipated construction vehicle access arrangements are feasible at this stage of the Proposed Development.
	NB_12	**Article 8 and access to the home** I ask the Examining Authority specifically to consider the relationship between highway access and Article 8. The ability to safely enter and leave one's home is part of the practical enjoyment of that home. The proposed development therefore affects Milford Lodge Cottage not only through visual and environmental change but potentially through the operation of the sole route serving the property. The cumulative Article 8 assessment should therefore include: safety of access; reliability of access; emergency access; construction traffic; delays or obstruction; privacy; noise; visual enclosure; construction disturbance; and the ability to continue ordinary residential life. This should not be treated as a series of unrelated technical assessments.	The Applicant notes the Interested Party's concern that the cumulative effects of the Proposed Development may affect access to the property and enjoyment of Milford Lodge Cottage. These matters have not been considered in isolation. An in-combination assessment has been undertaken for Common Lane, adjacent to Milford Lodge, to consider the combined effects arising from traffic and transport, noise, landscape and visual, dust, vibration and glint and glare effects of the Proposed Development. The findings are reported in **Chapter 17: Cumulative and In-Combination Effects [REP2-047]**. The assessment concluded that the in-combination effects would not increase the significance of effects identified in the individual topic assessments and that no additional significant in-combination effects are predicted.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			The Applicant therefore considers that the potential effects on the residential amenity of Milford Lodge, including those relevant to the concerns raised under Article 8, have been appropriately assessed through both the topic-specific assessments and the dedicated in-combination assessment. Whilst the Applicant acknowledges that residents may experience changes to their surroundings during construction and operation, the Environmental Statement concludes that these effects would not give rise to significant adverse in-combination effects on the occupation and enjoyment of the property.
	NB_13	**Privacy and the environment of the home** My Article 8 concerns also include privacy. The Examining Authority should consider the effect of: ▪ construction personnel; ▪ machinery; ▪ elevated plant; ▪ maintenance personnel; ▪ access routes; ▪ operational staff; ▪ security measures; ▪ CCTV; ▪ lighting; and ▪ activity close to private residential areas. The assessment should consider views towards: ▪ bedrooms;	Discussion regarding Article 8 is addressed within response to NB_01 and NB_03 including the cumulative position. Please see NB_08 for a response on security. As already accounted for in the assessment of visual amenity, CCTV would potentially be at the locations of fencing. The maximum height of the CCTV poles is controlled through the **Design Parameters and Commitments [EN0110012/APP/LVS/05.06] [updated alongside this submission]**. Relevantly, CCTV would point directly within the Site boundary and away from land outside. Lighting is controlled by the principles in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]**/**oOEMP**

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		▪ bathrooms; ▪ first-floor rooms; ▪ living accommodation; ▪ gardens; and ▪ private amenity areas. A roadside landscape viewpoint cannot necessarily represent the experience of an occupier living within the property.	**[EN0110012/APP/LVS/07.03] [updated alongside this submission]** the details of which the local planning authority would approve The **Design Approach Document (DAD) [APP-216]** establishes clear principles for the siting of infrastructure, including the avoidance of unacceptable effects on residential amenity and the retention of appropriate separation from properties through embedded design measures. The overarching National Policy Statement for Energy (NPS EN-1) emphasises the importance of avoiding, minimising and mitigating adverse impacts, including those affecting residential amenity and quality of life, while recognising that some adverse effects may remain where this is outweighed by the substantial need for nationally significant energy infrastructure. In this context, the Proposed Development has been subject to detailed environmental assessment, and embedded design measures and mitigation have been incorporated to avoid or minimise effects on local receptors. The findings of these assessments, as reported in the Environmental Statement (ES), demonstrate that residual effects on quality of life are appropriately mitigated and are not unacceptable. As set out in response to NB_01 in this document, the Applicant notes that Change 7

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			within the Change Application removes approximately 7.13 ha of solar PV infrastructure directly south of Milford Lodge and Milford Lodge Cottage, replacing this with grassland managed as bird habitat. A detailed response on the topic of residential amenity and living condition is included in the Applicant's response to Q1.9.8 of the Examining Authority's First Written Questions **[REP3-019]**. The supporting Technical Note - Residential Amenity and Living Conditions **[REP-032]** concludes that an introduction of Bird Habitat Area to the south of Common Lane around Milford Lodge Cottage and reduction of the Order Limits to the west of Milford Lodge will reduce the significance of effect, removing the significant effect at Year 1. For these reasons the visual effects at Milford Lodge would not become overbearing, overwhelming or otherwise unacceptable. The Applicant therefore considers that the potential effects on the residential amenity of Milford Lodge, including those relevant to the privacy concerns raised under Article 8, have been addressed.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
	NB_14	**Construction impacts should not be dismissed as temporary** Construction may be temporary in planning terms but can still represent a substantial period of a person's life. The Applicant already accepts a significant adverse construction effect upon Milford Lodge Cottage. The assessment should therefore consider the cumulative effect of: noise; piling; HGV traffic; machinery; dust; workers; temporary lighting; vehicle movements; vegetation removal; reduced privacy; highway safety risk; and restrictions upon the ordinary use of Common Lane.	Construction phase information is included within Section 2.7 of **ES Volume 1, Chapter 2: The Proposed Development [REP2-027]** including an indicative construction programme which outlines a 12 month construction period for Solar Development Site 6. An in-combination assessment has been undertaken for Common Lane, adjacent to Milford Lodge, to review the combined effects from traffic, noise, visual, dust, vibration and glint and glare. This is provided as part of **Chapter 17: Cumulative and In-Combination Effects [REP2-047].** The assessment outlines that there will be no residual traffic, dust, noise or glint and glare effects. The assessment concluded there will be a moderate adverse (significant) adverse visual effect due to visible construction activity however with Change 7 within the **Change Application [CR1-001]** this effect has reduced to minor adverse (not significant). There is predicted to be an exceedance of the vibration threshold however with embedded mitigation in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]**, is not considered to result in significant adverse effects. The assessment concluded that the in-combination effect is not expected to increase the significance of effects predicted in the Environmental Statement and no additional mitigation measures are proposed beyond those recommended in the relevant

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			technical chapters.
	NB_15	**Article 1 of the First Protocol** I also rely upon Article 1 of the First Protocol, protecting the peaceful enjoyment of possessions. Our home is a possession for the purposes of that protection. I recognise that planning controls and infrastructure development may lawfully interfere with property rights in the public interest. However, a fair balance must be achieved. The question is therefore whether it is proportionate for Milford Lodge Cottage to bear such a concentrated combination of impacts for the benefit of the wider development. Those impacts include: ▪ significant visual effects; ▪ loss of openness; ▪ enclosure; ▪ construction disturbance; ▪ loss of privacy; ▪ operational effects; ▪ highway-safety risks; and ▪ construction use of the sole access to the property.	As set out in the **Statement of Reasons [Updated alongside this submission]**, the Applicant has considered relevant articles of the First Protocol to the European Convention on Human Rights in respect of the proposals for the Proposed Development, including Article 1. Article 1 protects the rights to peaceful enjoyment of possessions and provides that no one can be deprived of their possessions except in the public interest. The Applicant accepts that the Draft DCO has the potential to infringe the rights of persons who hold interests in land within the Order land under Article 1. However, as acknowledged by the Interested Party, this infringement is authorised by law so long as (1) the statutory procedures for making the DCO are followed and there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the DCO; and (2) the interference with the convention right is proportionate.

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			For the avoidance of doubt, the Applicant is not seeking any outright acquisition of residential dwellings, such as Milford Lodge Cottage. In relation to Milford Lodge Cottage, the Applicant has assessed the likely effects of the Proposed Development on Milford Lodge Cottage through the Environmental Impact Assessment process as a representative receptor (it is not possible to identify and assess every individual visual receptor and therefore receptors are grouped where appropriate). This assessment has identified significant visual effects for residents of Milford Lodge Cottage during construction and operation, and these effects have been transparently reported within the ES. As outlined above in the response to NB_14 with the inclusion of Change 7 within the **Change Application [CR1-001]** this effect has reduced to minor adverse (not significant). Construction disturbance is responded to through the response to NB_14 above. Please see response to NB_13 above for comments on privacy. The Applicant has sought, through the iterative design process, to avoid and minimise effects wherever reasonably practicable, including refinement of the layout, the retention of existing vegetation where possible, the incorporation of setbacks, and the provision of landscape mitigation. Additional measures are also secured through the

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			certified management plans and requirements of the draft DCO. While it is acknowledged that some residual adverse effects will remain, the Applicant does not consider that these effects are so severe as to render the Proposed Development disproportionate. Please see responses to NB-04 to NB_11 for comments on access and highway safety. The Proposed Development would deliver substantial public benefits, including the generation of renewable electricity, contribution towards legally binding net zero and energy security objectives. The Applicant has concluded on balance that any interference with the Interested Party's rights is lawful and proportionate, and that a fair balance has been struck between the private interests of the affected landowners and residents and the wider public interest served by the Proposed Development.
	NB_16	**Proportionality and alternatives** The existence of a national need for renewable energy does not remove the requirement to consider whether the burden imposed upon individual homes is proportionate. The decision-maker should therefore ask: Could the same public objective be achieved with materially less harm to Milford Lodge Cottage? That should include consideration of: ▪ increasing the stand-off distance from my home;	The potential effects on residents of Milford Lodge and Milford Lodge Cottage have been considered throughout the Environment Statement, including in the landscape and visual assessment. The Applicant notes that Change 7 of the **Change Application [CR1-001]** removes approximately 7.13 ha of solar PV infrastructure directly south of Milford Lodge and Milford Lodge Cottage, replacing

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		▪ removing panels closest to the property; ▪ relocating infrastructure; ▪ improving or relocating construction access; ▪ avoiding HGV construction traffic on Common Lane; ▪ identifying an alternative Site 6/Site 7 access strategy; ▪ reducing panel heights; ▪ improved screening; ▪ construction-hour restrictions; ▪ privacy safeguards; ▪ lighting restrictions; ▪ and enforceable traffic-management controls.	this with grassland managed as bird habitat and increases the stand-off distance to panels. The Applicant's assessment of the proposed change within the **Supporting Environmental Information Report [CR1-048**] concludes that the visual effects experienced by residents of Milford Lodge and Milford Lodge Cottage reduce from moderate adverse (significant) to minor adverse (not significant). As set out in **ES Chapter 2: The Proposed Development [REP2-027]**, it is not anticipated that the Proposed Development would be lit. The exception to this is the BESS and substations where movement sensory triggered lighting will be needed and will follow the best practice to reduce spill light. These elements are located away from the residential receptors and are not expected to significantly affect the amenity of nearby residents. Please see response to NB_13 above regarding privacy. Lighting is managed through the controls included in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]**. Construction working hours are set out and controlled through section 2.4 of the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission].** Construction traffic is controlled through the measures set out within the **oCTMP**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			[EN0110012/APP/LVS/07.12] [updated alongside this submission]. For responses to the comments on Common Lane and access to Solar Development Sites 6 and 7 please see responses to NB_05 to NB_09 above and NB_17 below.
	NB_17	**Alternative construction access** I specifically request evidence identifying what alternative access arrangements have been examined for Sites 6 and 7. The Applicant should not select Common Lane simply because it represents the shortest or most convenient connection to the strategic road network. Where an alternative route is longer but materially safer, that must be given appropriate weight. Highway safety and protection of existing users should take precedence over construction convenience.	The Applicant notes this comment and confirms that the construction access strategy was developed following consideration of a range of operational, environmental and highway factors. All identified construction routes form part of the adopted highway network and Common Lane is not subject to any restrictions on use. Common Lane is also already used by HGV traffic, with the 2025 traffic surveys recording an average of 17 HGV movements per day. There is no alternative route that uses the public highway network. Public roads are legally open to general traffic without needing permissions or land-use agreements from third parties and therefore the preference is to use the public highway for construction access, where available. Aside from Common Lane, there is a route from the south that would connect via Turpin Lane, however Turpin Lane is not adopted highway and provides a less direct connection to the A162. This route was

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			therefore discounted in favour of Common Lane, which makes greater use of the adopted highway network and provides a shorter, more direct connection to the strategic road network. The Environmental Statement includes an assessment of fear and intimidation in **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]**. This calculates a degree of hazard score, which takes into account the average two-way flow, the HGV composition and the vehicle speed. Table 14-30 and Table 14-31 show that Common Lane, South Milford is subject to a 'Small' level of fear and intimidation in both the baseline (existing) and 'with construction' scenarios. Therefore, the temporary increase in traffic during the construction phase is not expected to significantly alter the levels of fear and intimidation. The conclusions of the TA are set out in full in Section 7; overall, the TA concludes that any temporary impacts from the Proposed Development can be managed through the final Construction Traffic Management Plan (CTMP), and there is not expected to be any long-term significant impacts on the transport network.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			Following discussions with North Yorkshire Council, the Applicant has updated the **oCTMP [EN0110012/APP/LVS/07.12] [Updated alongside this submission]** to strengthen commitments relating to vulnerable road users and the management of construction traffic on sensitive sections of the highway network. These measures will include route-specific traffic management where required and will be agreed through the detailed CTMP.
	NB_18	**A future Construction Traffic Management Plan cannot cure a fundamentally unsuitable route** I am also concerned that important matters may be left to a future Construction Traffic Management Plan. Management measures cannot alter fundamental physical constraints. For example: ▪ signage cannot widen the road; ▪ speed limits cannot create a pedestrian refuge; ▪ driver training cannot increase forward visibility; ▪ a booking system cannot guarantee that a resident will never encounter a construction vehicle; ▪ and traffic marshals cannot necessarily eliminate conflicts throughout the entire length of Common Lane. The fundamental suitability of the route should therefore be established during Examination.	The Applicant does not agree that Common Lane has been demonstrated to be fundamentally unsuitable for the temporary construction traffic associated with the Proposed Development. The route has been assessed within **Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** and **Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**, including consideration of traffic flows, road safety, severance, pedestrian and cyclist amenity, fear and intimidation and interactions with local receptors. The assessment identifies that the effects of

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			construction traffic would be temporary and can be appropriately managed. The purpose of the CTMP is not to compensate for an unsuitable route. Rather, it provides the mechanism for implementing appropriate traffic management measures on a route that has already been assessed and found capable of accommodating the forecast construction traffic. These measures may include passing places, temporary traffic management, controlled vehicle movements, driver briefings, signage and measures to protect vulnerable road users. The detailed arrangements will be agreed with North Yorkshire Council prior to construction.
	NB_19	**Mitigation if Common Lane remains proposed** If Common Lane nevertheless remains within the access strategy, strict and enforceable controls should be considered, including: ▪ maximum construction-vehicle dimensions; ▪ maximum daily HGV movements; ▪ prohibition on simultaneous opposing HGV movements; ▪ vehicle booking and release systems; ▪ off-road holding areas; ▪ prohibition of construction-vehicle waiting on Common Lane; ▪ radios or equivalent communication between drivers; ▪ traffic marshals at constrained locations; ▪ very low construction-vehicle speeds;	The Applicant notes the measures suggested. Many of the matters identified are already reflected within the **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]**, or capable of being secured through, the detailed CTMP, including construction vehicle routing, delivery scheduling, temporary traffic management, road condition surveys, community liaison and the management of interactions with vulnerable road users.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		▪ specific pedestrian and horse-rider safety measures; ▪ restrictions at times of significant recreational use; ▪ bridge structural assessments; ▪ pre- and post-construction road-condition surveys; ▪ Applicant-funded repair; ▪ prohibition of road closures affecting access to Milford Lodge Cottage without agreed alternative arrangements; ▪ guaranteed emergency access; ▪ guaranteed residential access; ▪ a dedicated resident liaison contact; ▪ incident reporting; ▪ compliance monitoring; and ▪ the ability to suspend construction traffic if unsafe conditions arise.	The detailed CTMP will be developed in consultation with North Yorkshire Council and will identify the appropriate measures having regard to the characteristics of the route, the construction programme and the nature of the vehicle movements proposed. In terms of enforceability, the CTMP is secured by Requirement 14 of the **Draft DCO [EN0110012/APP/LVS/03.01] [updated alongside this submission].** The detailed CTMP must be prepared substantially in accordance with the **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** and must be approved by North Yorkshire Council in consultation with the relevant highway authority. When the Applicant applies to have the requirement discharged, it is open to North Yorkshire Council (or the relevant highway authority) to request further information, or refuse an application for discharge. Once the detailed CTMP is approved, the Council could ask the Applicant at any time to demonstrate or confirm compliance with the CTMP provisions, including in circumstances where people are raising concerns with NYC. If NYC decides to take formal action, it could exercise powers to: (1) serve an information notice under section 167 of the Planning Act 2008 on the Applicant, requiring the Applicant to give information on the areas where

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			NYC thinks the Applicant may be in breach of the DCO; (2) serve an enforcement notice on the Applicant to stop the breach and setting out steps that must be taken to comply; and (3) if the Applicant failed to comply with the enforcement notice (which is an offence under section 168 of the Planning Act 2008), seek an injunction to make the Applicant stop works until it complies with the enforcement notice. The Applicant does not consider it necessary or proportionate to commit to every individual measure listed by the Interested Party at this stage, particularly where the detailed construction methodology and contractor arrangements are not yet known.
	NB_20	**Human Rights assessment must be cumulative** I ask that the Human Rights assessment is not fragmented between separate environmental topics. The relevant question is how the development will actually be experienced by someone living at Milford Lodge Cottage. The cumulative effect is: ▪ significant visual change + loss of openness + enclosure + construction noise + HGV traffic + highway safety concerns + privacy impacts + lighting + construction activity + operational activity + effects upon the only access to the home.	The Applicant notes the Interested Party's concern regarding the cumulative and in-combination effects of the Proposed Development affecting Milford Lodge Cottage. These matters have not been considered in isolation. An in-combination assessment has been undertaken for Common Lane, adjacent to Milford Lodge, to consider the combined effects arising from traffic and transport, noise, landscape and visual, dust, vibration and glint and glare. The findings are reported in **Chapter 17: Cumulative**

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		It is that combined burden which should be tested against Article 8 and Article 1 Protocol 1.	**and In-Combination Effects [REP2-047]**. The assessment concluded that the in-combination effects would not increase the significance of effects identified in the individual topic assessments and that no additional significant in-combination effects are predicted. The Applicant therefore considers that the potential effects on the residential amenity of Milford Lodge, including those relevant to the concerns raised under Articles 1 and 8, have been appropriately considered and assessed through both the topic-specific assessments and the dedicated in-combination assessment. In relation to Article 1, the Applicant has concluded on balance that the significant public benefits outweigh the effects upon persons who own land within the Order land. In relation to Article 8, given there is no outright acquisition of residential dwelling-houses, the Applicant dos not consider that the rights protected by Article 8 are infringed, and in the event that they conceived to be, such interreference would be lawful and in the public interest. Whilst the Applicant acknowledges that residents may experience changes to their surroundings during construction and operation, the Environmental Statement concludes that these effects would not give rise to significant adverse in-combination effects on the occupation and enjoyment of the property.

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	NB_21	**Requested action from the Examining Authority** I respectfully request that the Examining Authority: ▪ expressly considers Article 8 and Article 1 Protocol 1 in relation to Milford Lodge Cottage; ▪ requires a property-specific residential amenity assessment; ▪ considers impacts from the dwelling itself, including first-floor rooms and private amenity areas; ▪ requires a specific cumulative Human Rights and proportionality assessment; ▪ requires a detailed Common Lane Highway Safety Assessment; ▪ requires measured carriageway widths throughout the relevant route; ▪ requires identification of safe passing locations; ▪ requires analysis of the blind/restricted bridge sections; ▪ requires swept-path assessments for the largest vehicles; ▪ requires assessment of HGV interactions with pedestrians, cyclists and horse riders; ▪ requires a specific equestrian-safety assessment; ▪ requires confirmation of bridge structural suitability; ▪ requires a detailed explanation of how uninterrupted residential and emergency access to Milford Lodge Cottage will be guaranteed; ▪ requires the Applicant to identify all alternative construction access arrangements considered; ▪ requires the Applicant to explain why Common Lane is preferable to any less harmful alternative; ▪ requires any mitigation relied upon to be secured through enforceable DCO provisions;	The Applicant notes these comments. Discussion regarding Article 1 and 8 is addressed within response to NB_01 and NB_03 including the cumulative position. The Applicant therefore considers that the potential effects on the residential amenity of Milford Lodge, including those relevant to the concerns raised under Article 1 and Article 8, have been appropriately assessed through both the topic-specific assessments and in-combination assessments. Consideration of residential visual amenity has also been addressed in the response to ExA Written question Q1.9.8 **[REP3-019]** and Technical Note - Residential Amenity and Living Conditions **[REP3-032]**. As set out in response to NB_01 in this document, the Applicant notes that Change 7 within the **Change Application [CR1-001]** removes approximately 7.13 ha of solar PV infrastructure directly south of Milford Lodge and Milford Lodge Cottage, replacing this with grassland managed as bird habitat. The Applicant confirms that the mitigation and control measures set out within the outline management plans are secured through the

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		▪ considers increasing residential stand-off distances and modifying Site 6 to reduce impacts upon the property; ▪ considers whether the cumulative burden upon Milford Lodge Cottage is proportionate; ▪ determines whether a fair balance has been achieved between the public benefits of the development and the impact ▪ upon the occupants of this particular property; and ▪ if highway safety and uninterrupted access cannot be satisfactorily demonstrated, requires that Common Lane is removed as an HGV construction access route for Sites 6 and 7. Takes into account the fact that Common Lane is already designated as a pedestrian and cycle route as part of planning permission 2021/1531/EIA granted to Harworth Group by North Yorkshire Council on 18th June 2024, with such development works already underway.	Requirements of the DCO. The detailed management plans must be prepared substantially in accordance with the relevant DCO Requirements and, once approved, their implementation is a requirement of the DCO. The measures are therefore legally secured. The Applicant notes the request but does not consider a separate cumulative Human Rights and proportionality assessment necessary. Relevant effects on individuals, communities and affected land interests have been considered through the application documentation and statutory DCO process. The Applicant acknowledges that any adverse effects from the Scheme are more likely to be felt locally than the largely wider-scale benefits of the Scheme. The Scheme is anticipated to help meet the UK's net zero requirements for energy production, which is considered critical national priority and set out in NPS EN-1 (section 4.2) and EN-3. In addition to meeting the urgent need for secure and affordable low carbon energy infrastructure, the Proposed Development will deliver other benefits, many of which have been maximised and will be delivered as a result of the Proposed Development's careful design. These are set out in section 7.3 of the **Statement of Reasons**

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			[CR1-034]. As outlined in Comment Response SOC-03 provided as part of the **Applicant's Response to Relevant Representations (Part 2) [AS-036]**, the local economy will benefit through the use of local businesses, such as accommodation, cafes and restaurants, by construction workers. The Applicant has proposed measures to maximise local employment, skills development, and socioeconomic benefits throughout the construction, operation and decommissioning phases. Please see responses to NB-04 to NB_11 for comments on access (including emergency access) and the use of Common Lane.
	NB_22	**Conclusion** This submission is based upon identifiable legal interests contained within publicly available HM Land Registry documentation. The evidence is therefore capable of straightforward independent verification. The issue is not merely whether an individual entry has been transcribed incorrectly. The more important issue is whether	The Applicant recognises the important role of the **Book of Reference [EN0110012/APP/LVS/04.03] [updated alongside this submission]** in supporting statutory notification, the identification of affected persons and the identification of private rights that may be affected by the Proposed Development. The Applicant therefore continues to undertake proportionate diligent inquiry throughout the Examination and will review and verify any new

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		apparent omissions reveal deficiencies in the underlying land referencing exercise and whether the Examining Authority can safely rely upon the Applicant's assertion that the relevant interests have been identified. Given the importance of the Book of Reference to notification, affected-person status, existing private rights and compulsory acquisition, I respectfully ask that this matter is resolved transparently and comprehensively before the Examination closes.	information received. Where updates are identified and substantiated, they will be reflected in subsequent versions of the **Book of Reference [EN0110012/APP/LVS/04.03] [updated alongside this submission]** submitted in accordance with the Examining Authority's procedural decisions and submission deadlines. The Applicant considers that this approach provides the Examining Authority with a reliable basis upon which to consider the land interests affected by the Proposed Development. The Applicant notes the representation that the interests identified are derived from publicly available HM Land Registry records. Where specific discrepancies or omissions are raised, these are reviewed by the Applicant's Land Referencing team and, where necessary, further investigations are undertaken to establish the correct position. Where an error or omission is substantiated, the Applicant will make the necessary amendments to subsequent iterations of the Book of Reference submitted to the Examining Authority. However, whilst concerns have been raised regarding the completeness of the **Book of Reference [EN0110012/APP/LVS/04.03] [updated alongside this submission]**, no specific omitted interests, incorrectly identified interests or categorisation errors have been identified within the representation. Accordingly, the Applicant has not

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			been provided with particulars that would enable it to verify or investigate the alleged omissions referenced. As explained in Chapter 8 of the **Statement of Reasons [CR1-034]**, the Applicant has undertaken extensive diligent inquiry using a range of information sources and verification processes to identify persons with interests in land affected by the Proposed Development. The Applicant remains satisfied that the **Book of Reference [EN0110012/APP/LVS/04.03] [updated alongside this submission]** has been prepared in accordance with that methodology and represents, to the best of the Applicant's knowledge, a substantially complete and accurate record of the interests identified in land affected by the Proposed Development. The Applicant does not consider that the concerns raised demonstrate a systemic deficiency in the land referencing exercise or undermine the overall reliability of the **Book of Reference [EN0110012/APP/LVS/04.03] [updated alongside this submission]**.

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	NB_23	**Conclusion** Connection offer The BESS is described as an integral component of the proposed development and is intended to store both surplus electricity generation and/or electricity imported from the grid. The BESS has only received Gate 1 status whilst the solar generation component has a Gate 2 firm connection position, which clearly weakens the certainty that the BESS described in the DCO application can actually operate as proposed. NESO is explicit that Gate 1 does not reserve capacity, does not give a protected queue position and does not guarantee a connection. NESO state that transmission works for a Gate 1 project will cease to be progressed, a Gate 1 project cannot currently progress into delivery through the reformed connections pipeline and has to apply successfully for a Gate 2 connection in a future application window. Earlier Light Valley documentation was explicit about the grid arrangements. The Site Selection Report stated that National Grid had confirmed 500 MW capacity with a 500 MW import for BESS at Monk Fryston. As the 500 MW BESS import capacity is Gate 1, the position is materially different from simply saying that Light Valley has "secured a 500 MW grid connection." As such, the Applicant does not have Gate 2 status for the whole solar and BESS development. Please confirm: 1. What Gate status has been awarded separately to the 500 MW solar generation/export element and the BESS import/export element?	Connection Offer The Applicant notes that Section 6.12 of the **Statement of Need [APP-214]** describes that the Applicant seeks to bring forwards co-located storage facilities (BESS) as associated development to the main (renewable generation) development. Section 7.11 of the **Statement of Need [APP-214]** provides information in support of the Applicant's case that the proposed BESS is associated development. The BESS is being proposed to support the operation of the solar facility by (among other functions) balancing supply with demand. At times when the BESS is not supporting the operation of the principal solar site, it may be useful for the BESS to support the national supply and demand balance by importing directly from the grid rather than from the co-located solar. The Applicant refers to Section 3.7 of the **Statement of Need [APP-214]**. The Applicant confirms that it proposes to submit the BESS component of the Proposed Development to the next Connections Reform window, to secure a Gate 2 connection prioritisation. The Applicant confirms that it has a connection agreement as described in Chapter 2 of the **Grid Connection Statement [APP-222]**. Paragraph

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		2. Precisely how many MW of Light Valley's connection agreement are Gate 1 and how many are Gate 2? 3. If the BESS remains Gate 1, can it operate solely using electricity generated by Light Valley Solar without requiring the Gate 1 import capacity? 4. If the BESS cannot obtain Gate 2, can the DCO scheme still be constructed and operated substantially as assessed in the ES, and if so, why is the full BESS land take and infrastructure still required? <u>Change recorded in the NESO TEC Register</u> Following the recent change recorded in the NESO TEC Register from Monk Fryston 275 kV Substation to Monk Fryston 400 kV Substation, the Applicant is requested to explain whether its current Gate 2 connection offer differs from the connection assumptions assessed in the submitted Environmental Statement and DCO application, including the connection voltage, connection point, electrical infrastructure, works at Monk Fryston, cable specification and route, and whether any consequential environmental effects require further assessment. Please provide a copy of the Gate 2 connection offer / BCA (appropriately redacted if necessary).	3.7.14 of the **Statement of Need [APP-214]** confirms that the connection for the solar component of the Proposed Development has secured a Gate 2 Phase 1 prioritisation (i.e. in 2030 or earlier). The BESS component of the Proposed Development holds a Gate 1 connection offer, the indicative connection date of which has not yet been confirmed. The Applicant has recently received NESO's Offer of Agreements to Vary its current Grid Connection Agreement from NESO. This offer, including the relevant details of the new connection arrangements is under review and has not yet been accepted. Please see the Grid Connection Update also submitted at Deadline 4 for more information on this. In answer to the four questions raised, the Applicant would respond that: 1. The Applicant has been notified that it has secured a Gate 2 agreement for 500MW export capacity to the National Electricity Transmission System for the solar component of the Proposed Development. (see. Section 3.7 of the **Statement of Need [APP-214]**). 2. The Applicant has been notified that it has secured a Gate 1 agreement for 500MW of export capacity and 500MW of import capacity to / from the National Electricity

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			Transmission System for the BESS component of the Proposed Development. (see Section 3.7 of the **Statement of Need [APP-214]**). The Applicant's understanding is that the total export capacity of the Proposed Development 'across' Gate 1 and Gate 2 is not additive (i.e. when both are operational, a maximum of a total of 500MW of solar and/or BESS generation could be exported to the NETS at any point in time). 3. There is a provision in the Connections Reform framework to re-prioritise 'export only' BESS in future reprioritisation rounds alongside any co-located generation, in synchrony with the priority ascribed to the co-located generation connection. 4. Section 3.8, Section 4.2 and Section 4.3 of the **Statement of Need [APP-214]** set out the policy support for renewable electricity generation in the UK, including from large scale solar schemes. The solar component of the Proposed Development is fully aligned with these aspects of the government's energy policy, including (NPS EN-1 paragraphs 3.2.8-3.2.10) that: there is demonstrated urgent need for such schemes; substantial weight should be given to this need; and that the Secretary of State is not required to consider the specific

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			contribution of any individual project to be satisfied that need is established. A co-located storage facility as associated development (see Section 7.11 of the **Statement of Need [APP-214]**) allows the Proposed Development to support the transition to net zero by providing flexibility as part of a clean power system through one grid connection point. The BESS is being proposed to support the operation of the solar facility by (among other functions) balancing supply with demand. Section 7.9 of the **Statement of Need [APP-214]** describes that although both standalone solar schemes and co-located schemes will play essential roles in contributing to the decarbonisation, security of supply, and affordability of energy, and that the co-location of storage with renewable generation has benefits, it is not necessary (and nor is it a policy requirement) that all renewable energy schemes are co-located with storage. If the BESS was not delivered, the Applicant has the flexibility to build out solar PV in this area as provided for in the **Works Plans [EN0110012/APP/LVS/02.03] [updated alongside this submission]** and the **Draft DCO [EN0110012/APP/LVS/03.01] [updated**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			alongside this submission]. This is reflected visually in the **Works Plans [EN0110012/APP/LVS/02.03] [updated alongside this submission]** whereby Works No 2 (the BESS) is overlaid by Works No 1 (solar PV) on Sheet 13. The Applicant is seeking powers to compulsorily acquire this area of land (i.e. pink land on the **Land, Crown Land and Special Category Land Plans [CR1-006]**) irrespective of whether it is BESS or solar that is built out because any lesser acquisition power would not be sufficient or appropriate for the Applicant to construct, operate and maintain this infrastructure. Change recorded in the NESO TEC Register The Applicant has notified the ExA of a proposed change to the Application relating to NESO's proposal to change the connection point from the Monk Fryston 275kV Substation to the Monk Fryston 400kV Substation and the Applicant refers to the Grid Connection Update submitted at Deadline 4 in response to this representation.
REP3-057 Martin Nichols	MN_01	**Glint and glare effects along Skipwith Road (SDS1)** Considering extracts below from REP2-045 Table 16.4 Glint and glare, summary of assessment conclusions; *"Roads*	Glint and glare impacts upon Skipwith Road have been assessed within the **Glint and Glare Assessment [APP-186]**, and the assessment does not rely upon the presence of existing screening.

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		For both panel configurations, a significant impact is predicted at Year 1 towards some sections of road, where there is no or insufficient existing vegetation screening. This includes Skipwith Road along the western edge of Solar Development Site 1; … *Additional planting in the form of advanced planting has been proposed in order that new vegetation will be at a sufficient height to significantly obstruct views of reflecting panels once operational (see paragraph 16.8.13)."* I am requesting the applicant re-consider REP2-120 Document Reference: EN0110012/APP/LVS/08.20 comment references D-WR-LAN04 and D-WR-GLI-01 given in response to the comments I raised REP1-055. In addition concerning the proposed permissive path for pedestrian and cyclists now shown on 02.12.01 & 02.12.02 Outline Environmental Masterplan Site 1 Sheets 1 and 2 referenced in the response, the impact of glint and glare for cyclists using the permissive path also needs to be considered for significance in terms of safety.	The impact determination is instead predicated on the location of glare, with all glare towards these receptors predicted to occur outside of a driver's primary field-of-view (50° either side of the direction of travel). Potential impacts upon users of Public Rights of Way are also included in Section 8 of the Glint and Glare Assessment, and these considerations would also apply to users of permissive paths. Principally, there is a significantly lower safety risk for users of PROWs or permissive paths, due to the low density of users and low speeds of traffic compared to busy roads such as Skipwith Road.
REP3-056 Gary Philip Yeadon	GY_03	**Specification-Based Safety Concerns** Residents require clear, specification-based justification for the separation distances between solar panels and each affected dwelling. LVS must identify: the specific standard or manufacturer requirement used, the numeric distance requirement stated in that standard, and the actual distance proposed in Sites 1–8 (Site 5 excluded). Without this evidence, the Examination cannot rely on LVS's assertions of safety or compliance.	The final choice of equipment specification will be at the design and construction stage, meaning that the exact specification and choice of panels will not be confirmed until post-consent. However, the Applicant has committed, in the **Design Parameters and Commitments [EN0110012/APP/LVS/05.06] [updated alongside this submission]** document to a number of design parameters. These include maximum height and minimum spacings between rows (namely 2.5 metres at the closest point).

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			This is because of the rapid pace in change of technology. The Applicant will procure the most appropriate equipment suitable for the site which complies with the design standards and parameters (as secured through the **Design Parameters and Commitments [EN0110012/APP/LVS/05.06] [Updated alongside this submission]**) and falls within the Maximum Design Scenario, meaning it therefore has been inherently assessed in the Environmental Impact Assessment with effects reported on in the ES. The installation of the solar panels and equipment will comply with the relevant manufacturer specifications. Regarding the distance separation between the solar panel areas and residential properties, the Applicant has incorporated appropriate minimum setbacks from residential properties, informed by the character of the landscape and the effectiveness of mitigation in the generally flat landscape. This is secured in the **Design Parameters and Commitments [EN0110012/APP/LVS/05.06] [Updated alongside this submission]** document and is explained further in the **Design Approach Document (DAD) [APP-216]**, which sets out the Applicant's approach to addressing the criteria for good design for energy infrastructure set out in section 4.7 of NPS EN-1 more broadly.

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			Standard offsets from residential properties to solar farm development are not defined in law or policy and the Applicant has established a minimum offset of 30m from the curtilage of residential properties to the Order Limits (although is significantly greater than this in many locations). This minimum offset was established following pre-application consultation, EIA scoping, and environmental surveys and assessments, including the LVIA. The layout has been iteratively refined to incorporate setbacks from residential receptors, retention of existing field boundaries, and the use of offsets to properties, alongside the integration of additional mitigation planting, including hedgerow reinforcement and new woodland belts, to filter and soften views.
	GY_04	**Resident Impact & Engagement Failures** Residents adjacent to Site 1 face unacceptable risk due to industrial solar infrastructure positioned extremely close to their homes. LVS have not provided enlarged drawings, property-specific distance diagrams, or specification-linked compliance evidence. Repeated requests for face-to-face engagement have been denied, leaving residents distressed, uninformed, and unable to assess the true impact of the development	Please see response to GY_03 above in regard to separation distances to solar panels. The Applicant disagrees that residents adjacent to Site 1 have been left unable to understand or assess the potential effects of the Proposed Development. Detailed, environmental assessments, technical information visualisations and plans were made publicly available (and

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			continue to be available) through the statutory consultation and DCO application process, including via the project website, through requests to the project inbox, and in-person at three publicised Community Access Points (CAPs) during Phase Two consultation. Documents published by the Applicant since DCO submission are available to view via the PINS website. There is no requirement for the Applicant to produce property-specific distance diagrams for individual residents, and the Applicant has not identified any record of the Interested Party or others requesting such a diagram through the project enquiry channels. Where residents have requested additional materials, the Applicant has provided information digitally and, where requested, supplied physical and enlarged plans directly. The Applicant has also undertaken direct engagement with residents living close to Site 1, and has responded to requests for meetings with neighbours to the Proposed Development throughout the pre-application and Examination process as documented in the **Consultation Report [APP-024]**. Aligned with the Phase One consultation, eleven in-person meetings were held with near-neighbour properties in the vicinity of Site

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			1. In January 2025, the Applicant met three properties near Site 1 as part of a wider programme of near-neighbour visits, with communications staff and landscape and visual specialists carrying out high-level assessments from the gardens and exteriors of those properties and discussing matters including screening and visual effects. Ahead of the statutory Phase Two consultation, further meetings were held with individual properties around Site 1 to preview the updated design and discuss immediate concerns. The Applicant can confirm that all meeting requests were responded to, additional information provided where appropriate and meetings have taken place with individuals from across the Proposed Development, facilitating face-to-face meetings wherever possible. In relation to the Interested Party specifically, the Applicant has not received any correspondence from the Interested Party through the project enquiry channels during either the pre-application period or Examination, including any request for a face-to-face meeting. The Interested Party has, however, participated formally through the Relevant Representation process **[RR-0454]** and provided further submissions at Deadline 1 (**[REP1-034]** and **[REP1-035]**), to which the Applicant has responded

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			(see **The Applicant's Response to Relevant Representations (Part 2) [AS-036]** and **The Applicant's Response to Submissions Received at Deadline 1 - Members of the Public [REP2-120]** respectively).
	GY_05	**Wind-Induced Catastrophic Failure Risk** Camblesforth Solar Farm demonstrates how exposed agricultural terrain amplifies wind-induced uplift, oscillation, and progressive structural failure. Detached panels can become high-velocity debris capable of causing injury, property damage, or obstruction of emergency access routes. Light Valley Solar shares the same exposure characteristics and therefore must provide full wind-load modelling, gust-factor analysis, and failure-mode assessment.	As set out in response to comment reference RNC-25 within **The Applicant's Response to Relevant Reps – Part 1 [PDV-005]**, the Applicant understands the concerns regarding this, especially in light of what happened at Camblesforth. The solar farm at Camblesforth is currently in its construction phase, and we understand the situation is being investigated by the owner and their contractor. The components of the Proposed Development would be designed to withstand the range of UK weather, including storms. Solar panels are typically rated for up to 140mph wind speeds, equivalent to a mid-range Category 4 hurricane. The Applicant intends to use panels that are rated to withstand high wind speeds, as well as other extreme conditions, such as hail. As such, panels are typically tested using the International Electrotechnical Commission (IEC) 61215 impact test, a long-standing hail impact test used across the industry. If used, tracker panels can move into a position which minimises both wind effects and hail damage. In addition to the testing, rating and in-built

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			technology of solar panels, planted visual mitigation measures would also have the added benefit of serving as windbreaks for solar panel sites, significantly reducing the impact of wind gusts. ES Chapter 7: Climate Change Resilience (CCR) assesses the likely significant effects arising from future climate change on the Proposed Development including increased rainfall, frequency of storms and increased wind speeds. In the unlikely event that a storm or extreme weather event does hit, plans and measures would be in place and are set out within Section 2.13 of the **oOEMP [EN0110012/APP/LVS/07.03] [Updated alongside this submission]**. The CCR assessment concludes that the Proposed Development will not lead to any significant adverse CCR effects.
	GY_06	**Health & Safety Handling — HSE Log Request** I personally observed the chaotic aftermath of the Camblesforth panel-failure incident from public roads and adjoining farmland. Detached panels, twisted rails and scattered debris remained visible for an extended period, with no immediate evidence of hazard cordons or emergency response. To understand how the operator handled this event, I request disclosure of the daily Health & Safety log entries covering the period of the failure, including: time of first identification, immediate actions taken, hazard assessment, emergency-access checks, escalation records, corrective-action scheduling. Without these	Camblesforth Solar Farm is operated by Camblesforth Solar Farm Limited and owned by Enray Power. This is not linked to Light Valley Solar Limited, and as such we are unable to provide further information on the health and safety log associated with the event mentioned.

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		logs, the public cannot verify whether the incident was managed in accordance with UK safety standards.	
	GY_07	**Photomontage Evidence — Exposure & Roads** Photomontage Evidence: Exposure, Open Land and Roadside Proximity LVS's own photomontages show: unbroken expanses of open farmland, long wind fetch distances, minimal natural shielding, narrow rural roads directly adjacent to solar infrastructure, flat terrain amplifying wind loading. These images confirm that Light Valley Solar shares the same exposure conditions that contributed to the Camblesforth failure.	The Applicant considers that this observation conflates the landscape and visual characteristics of the receiving environment with engineering considerations relating to wind exposure and structural loading. The **Landscape and Visual Impact Assessment (LVIA) [EN0110012/APP/LVS/06.01.10] [updated alongside this submission]** recognises that parts of the study area are characterised by flat, open agricultural land. However, the landscape baseline detailed in **Appendix 10.2 Landscape Baseline and Effects [EN0110012/APP/LVS/06.03.10.02] [updated alongside this submission]** also identifies existing hedgerows, hedgerow trees, woodland and tree belts which provide varying levels of enclosure. The Proposed Development therefore cannot reasonably be characterised as uniformly comprising "unbroken expanses" with "minimal natural shielding". The photomontages and baseline photography shown in **ES Volume 3 - Appendix 10.4 Photography and Photomontages LR2 [REP2-076]** similarly show a variety of landscape conditions across the solar development sites. As set out in response to Rep RR-1210 within **The Applicant's Response to Relevant**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			Representations (Part 1) [PDA-014], the Applicant understands the concerns regarding the Camblesforth Solar Farm and as set out in our response will design and choose technology designed to withstand UK weather conditions including winds of up to 140mph, equivalent to a mid-range Category 4 hurricane.
	GY_08	**Road Condition & Unsuitability for HGV Traffic** The rural roads surrounding the LVS sites are: narrow, structurally lightweight, patch-repaired, soft-shouldered, unsuitable for two-way HGV movements. They were never designed for sustained heavy-vehicle loading from: concrete wagons, pump trucks, cranes, low-loaders, articulated deliveries. This presents foreseeable risks of verge collapse, rutting, subsidence, collision hazards, and obstruction of emergency access.	The Applicant notes this concern. The suitability of the local highway network for construction traffic has been assessed within **Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** and **Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**. The assessment identifies the forecast changes in traffic flows and considers the characteristics of the affected roads, including rural roads that contain constrained sections. The Applicant acknowledges that some routes are rural in nature and contain localised constraints. The assessment does not rely upon unrestricted two-way movement of large vehicles along all sections of road. The **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside**

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			this submission] provides for temporary passing places, route management measures and temporary traffic management where required. The detailed CTMP will identify the locations and measures required in consultation with North Yorkshire Council. On this basis, the Applicant considers that the forecast construction traffic can be appropriately managed and that the assessment conclusions remain unchanged.
	GY_09	**Engineering Drawings — Heavy Industrial Loads** Appendix 2.2 shows: 275 kV substations, 33 kV switch houses, transformers, PCUs, BESS units, concrete foundations, steel mounting structures. These components require heavy industrial transport and crane access. The drawings confirm the infrastructure is industrial in scale — yet LVS have not demonstrated how such loads will reach the site safely.	A number of deliveries within the Order Limits during the construction phase would be Abnormal Indivisible Loads (AILs). An AIL is where the vehicle exceeds 44 tonnes, the width is over 2.9 m or the length is more than 18.65 m. These are likely to include deliveries of extra high voltage transformers and cable drums. A separate standalone AIL assessment has been undertaken as part of the DCO application and is appended to the Transport Assessment [updated alongside this submission]. Where AIL access is required the access points have been designed to allow AIL access.

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	GY_10	**Missing Access-Road Engineering & Highways Interrogation** Appendix 2.2 contains no access roads, no haul routes, no swept-paths, no turning geometry, no road-strengthening works, and no temporary construction access. This omission proves that LVS have not completed access-route engineering. I request that the Examining Authority instruct LVS to provide: Construction Traffic Management Plan (CTMP), Highways Impact Assessment, Swept-path analysis for all HGV types, Axle-load modelling, Structural road-condition surveys, Verge-protection and strengthening plans, Emergency-access continuity assessments, Temporary works access drawings.	The Applicant notes this comment and advises that matters relating to the use of the highway network and site access arrangements are addressed in **Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission],** which also includes an assessment of the highway links proposed for use during construction. An **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** has also been submitted and has been updated alongside this submission. The oCTMP sets out the measures proposed to manage construction traffic and its interaction with other highway users, with the detailed arrangements to be developed through the detailed CTMP prior to construction.
	GY_11	**Absence of Road-Design Standards in Chapter 14** Chapter 14 provides policy-level transport guidance but no engineering road standards. It does not include: pavement-strength analysis, axle-load capacity, swept-path compliance, road-foundation evaluation, structural deterioration modelling. Given the industrial scale of LVS's infrastructure, this is a critical gap.	The Applicant notes this comment and advises that swept path analysis in included in Annex B and Annex C (for abnormal loads) of **Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [as updated alongside this submission],**
	GY_12	**Required Evidence from LVS** The developer must provide: specification-based separation distances, full wind-load modelling, failure-mode analysis, construction-traffic engineering, road-strengthening proposals,	Please refer to the response to GY_03 regarding specification-based separation distances, the response to GY_05 for full wind-load modelling and failure-mode analysis and the response to GY_06 regarding HSE log disclosure.

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		HSE log disclosure, access-route drawings, emergency-access plans.	Regarding access route drawings and emergency access arrangements, the Applicant notes that construction access locations, routing arrangements and emergency access considerations are presented within **Figure 14.4: Construction Routing (ES Volume 2) [APP-113]**. **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]** considers the suitability of the proposed construction routes and access arrangements, whilst the **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission].** provides the framework through which detailed traffic management and emergency access arrangements will be agreed with the relevant highway authority and approved by the relevant planning authority prior to construction. The Applicant confirms that access for emergency vehicles will be maintained throughout construction. The assessment concluded that, with the mitigation secured through the final CTMP, the forecast traffic effects associated with the Proposed Development would not be significant. The detailed CTMP will be developed in consultation with, and approved by,

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			North Yorkshire Council, providing further assurance that any route-specific traffic management, emergency access arrangements and measures to protect vulnerable road users are agreed prior to construction commencing.
	GY_13	**Epilogue — Strategic Energy Alternatives and Long-Term Energy Strategy** If consent is granted, Light Valley Solar will take three years to construct, with disruption extending into 2031. The project will not deliver 24/7 energy at any stage. A more balanced strategy would prioritise: solar on trading-estate and commercial roofs, waiting for Small Modular Reactors (SMRs) expected mid-2030s. SMRs provide continuous 24/7 baseload power for up to 60 years with minimal land take. No solar farm can power 1,000,000 homes 24/7, nor match SMR reliability or density.	The Applicant is supportive of the development of solar schemes at other locations and on other surfaces. Section 7.3 of the **Statement of Need [APP-214]** provides evidence as to why the Applicant agrees with the Government's position that such developments are needed as well as, not as an alternative to, the Proposed Development. The Applicant has considered previously developed land including brownfield sites, contaminated land and industrial sites within section 2.5 of the **Site Selection Assessment Report [AS-019]**. However, none of the sites identified are considered reasonable alternatives for accommodating the Proposed Development. The Applicant has also considered specific alternatives, including specific brownfield sites, raised in consultation responses, as set out in tables 3-1 and 3-2 of ES Volume 1, **Chapter 3: Alternatives and Design Iterations [REP2-029]**. None of the alternatives considered are considered to offer reasonable alternatives to the Proposed Development.

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			As noted above, the Applicant is supportive of rooftop solar, but considers this to be a solution to meeting the UK Government's Clean Power 2030 Action Plan targets in addition to, not instead of, the Proposed Development. The Applicant has also considered alternative renewable energy technologies in section 3.9 of ES Volume 1, **Chapter 3: Alternatives and Design Iteration [REP2-029]**. The Applicant is supportive of other energy-generation and demand reduction approaches. Section 6 of the **Statement of Need [APP-214]** provides evidence as to why the Applicant agrees with the Government's position that such developments are needed as well as, not as an alternative to, the Proposed Development. With its background in solar installations, the Applicant is best placed to help deliver the Government's clean power capacity range of 45-47 GW of installed large-scale solar capacity by 2030 through the delivery of solar schemes such as the Proposed Development. The Applicant anticipates that developers with experience with other technologies will come forward to support the delivery of the Government's specific target capacity ranges for other forms of renewable energy (set out in Table 1 of the **Statement of Need [APP-214]**) in addition to, rather than as an alternative to, the Proposed Development.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
	GY_14	**Part 1- Deadline 2 Submission Paragraph** We request that LVS provide the specific standards, specifications, regulations, manufacturer requirements, and safety criteria they have relied upon to justify the separation distances between solar panels and each affected dwelling. For every residential property, LVS must identify the exact specification used, the numeric distance requirement stated within that specification, and the actual distance proposed in the Sites 1 to 8 layouts (Site 5 excluded). This information must be presented as a clear compliance demonstration for each dwelling. At present, LVS have positioned industrial solar infrastructure extremely close to homes without citing any recognised UK standard or manufacturer clearance that permits such proximity. Without this evidence, the Examination cannot rely on LVS's assertions of safety or appropriateness, and affected residents cannot meaningfully assess the risks. We therefore request that the Examining Authority instruct LVS to supply this specification-based justification as a matter of urgency.	Please see response to GY_03 above regarding law and policy of offsets. The Applicant acknowledges the concerns raised regarding the safety of the solar PV panels. Solar PV and associated conventional electrical infrastructure, including conversion units, transformers and switchgear, comprise established, proven technologies with widespread use in the UK and worldwide. The design, manufacture and installation of the systems are governed by, equipment and industry standards as well as established industry guidance and codes. PV safety considerations are also addressed through matters such as appropriate installation and testing (in accordance with standards, guidance and codes) as well as ongoing inspection and maintenance of the solar PV areas.
	GY_15	**Part 2 – Resident-Impact Justification** Residents living adjacent to Site 1 are being placed at unacceptable risk due to the extremely close proximity of industrial solar infrastructure to their homes. LVS have positioned panel blocks, access tracks, electrical equipment and construction interfaces at distances that appear to have no basis in recognised UK standards, manufacturer safety clearances, or Health & Safety guidance. Without specification-based justification, these separation distances cannot be considered safe, appropriate, or compliant.	The Applicant recognises that proposals of this scale can create uncertainty for nearby residents and has sought to address this through ongoing communication, targeted near-neighbour engagement and the provision of additional information where requested. Regarding separation distances, please see the Applicant's response to GY_03 above.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		The absence of enlarged drawings, property-specific distance diagrams, and specification-linked compliance evidence prevents residents from understanding the true impact of the proposed layout. This lack of clarity directly affects residential amenity, perceived safety, and confidence in the developer's design process. Residents cannot meaningfully assess fire risk, noise exposure, construction disturbance, or visual intrusion when LVS have not demonstrated that any recognised standard permits panels to be placed this close to dwellings. Residents have repeatedly been denied the opportunity for face-to-face meetings with LVS, leaving many at their wits' end and suffering under prolonged uncertainty. Despite multiple requests, LVS have not provided direct one-to-one dialogue, nor have they offered reasonable opportunities for residents to understand how the proposed infrastructure will affect their homes. This lack of engagement has caused significant emotional strain, with residents left stewing for months without answers. The absence of meaningful communication, combined with the extremely close proximity of industrial solar panels to dwellings, has created a situation where residents are forced to endure stress, fear, and confusion without any duty-of-care response from LVS. This behaviour is unacceptable in a project of this scale and must be formally recognised within the Examination. For these reasons, affected residents request that LVS be instructed to supply specification-based justification for every dwelling, including the specific standard used, the numeric distance requirement stated in that standard, and the actual distance proposed. Only then can residents and the Examining Authority assess whether the proposed proximity is safe, compliant, and appropriate.	Regarding drawings, please see the Applicant's response to GY_16 below. Regarding consultation and engagement with residents, please see the Applicant's response to GY_04 above.

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	GY_16	**Engineering Requirement Sheet** This document sets out the minimum engineering information required from the Developer (LVS) to enable proper assessment of the proposed industrial solar development. Current Applicant drawings are basic and lack the technical detail necessary for evaluation of access constraints, structural integrity, drainage interaction, emergency routing, and resident impact. Drawings supplied by residents (referenced in Section 9) demonstrate the level of clarity and scaled accuracy required. **Mandatory Engineering Drawings** The Developer must provide fully detailed, scaled, technically accurate 2D and 3D engineering drawings. Required Drawing Types: 2D plan, elevation, and section drawings, 3D structural visualisation, Enlarged views showing solar arrays relative to residential boundaries, Full perimeter road mapping, All access points and internal access routes. Mandatory Drawing Features: North arrow, Scale bar, Legend, Revision number, Date, Reference code, Sheet numbering, Clear dimensioning (mm/m). Mandatory Site-Wide Detail: Drawings must show: Road widths, verge widths, footpaths Paths, Turning radii, junction geometry, bridge widths, Constrained sections where two HGVs cannot pass, Ambulance, fire, police access routes, Emergency diversion corridors, Drainage channels, watercourses, flood zones, Groundwater-sensitive areas, Principal Aquifer protection zones,	The EIA presented within the ES has been undertaken adopting the principles set out in the Planning Inspectorate's Advice Note Nine: Rochdale Envelope which provides guidance regarding the degree of flexibility that may be considered appropriate within an application for development consent under the Planning Act 2008. **ES Volume 1, Chapter 2 - The Proposed Development [REP2-028]** sets out for each technical discipline, the maximum (and where relevant, minimum) parameters for the elements where flexibility needs to be retained have been assessed under the Rochdale Envelope approach. The technical assessments therefore assess an 'envelope' within which the works would take place (the Rochdale Envelope). As such, the DCO Application and EIA is based on maximum and, where relevant, minimum parameters and detailed engineering drawings are not required to be produced to adequately assess the Proposed Development. Relevant detailed drawings would be produced should development consent be granted and in accordance with the requirements contained within the Development Consent Order. The level of detailed provided by the Applicant within the Application is of the same level of detail as other DCO applications and is considered to be of appropriate detail at this stage in the project.

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		Clay cover locations, Subsurface works, Cabling routes, inverter stations, substations, switching gear. **Structural Requirements** Concrete Foundations, LVS must provide: Footing dimensions Wind uplift calculations, Overturning moment calculations, Bearing pressure calculations, Concrete grade, Reinforcement schedule. Bolted Connections, LVS must provide: Anchor bolt size, grade, embedment depth, Rail-to-post connection details, Module clamp specifications, Torque values, Corrosion class. **Materials & Coatings (Developer Must Furnish)** This section is intentionally left open for LVS to supply their own certified engineering specifications. LVS must provide: Full Bill of Materials, Structural steel grades, Aluminium grades, Corrosion-protection systems, Coating thicknesses, Fastener materials, Expected service life, Manufacturer datasheets, Coating certificates, Durability assessments, Maintenance and inspection schedules. **Safety & Access Requirements** LVS must demonstrate: Full emergency access compliance, Fire-service access geometry, Ambulance access routes, Police access routes, Emergency diversion corridors, Flood-event access resilience, Adverse-weather maintenance access.	Additional detail will be provided at detailed design stage. Access will be designed such that emergency services are able to access the site easily with site roads being clearly laid out and agreed with North Yorkshire Council. Three separate North Yorkshire Fire and Rescue Service (NYFRS) access points to the BESS Compound have been integrated into the design. A swept path analysis for emergency vehicles has been undertaken, and the roads have been confirmed as suitable for emergency vehicle access. Access will be maintained during construction and any temporary traffic management measures will be developed in consultation with, and agree by, the Local Highway Authority. As part of this process, due regard will be given to ensuring that access for emergency services is not adversely affected. An **Outline Drainage Strategy [EN0110012/APP/LVS/06.03.15.04] [updated alongside this submission]** is included within the Application alongside **Chapter 15: Water Resources and Flood Risk [REP2-043]**. The Applicant will ensure that all drawings prepared at detailed design will be compliant with industry requirements and standards, and also with the

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		Environmental & Hydrological Requirements LVS must provide: Drainage strategy, Surface water management, Runoff modelling, Flood-zone interaction, Groundwater protection measures, Aquifer safeguarding, Soil stability and clay-shrinkage analysis, Subsurface disturbance mapping. **Resident Impact Requirements** LVS must provide: Enlarged drawings showing solar arrays relative to residential boundaries, Sightline diagrams, Visual impact elevations, Shadowing diagrams (if applicable), Noise-source mapping (inverters, substations). **Compliance Requirements** All drawings and calculations must comply with: NSIP technical requirements, BS EN structural standards, ISO corrosion-protection standards, Local Highways Authority requirements, Environment Agency groundwater protection standards. All documents must be certified by a competent engineer and include Name, Qualifications, Professional registration number, Date, Signature. *[Drawings supplied by resident as examples of clarity of level of detailed required from LVS]* **Deadline 2 Submission Paragraph** The accompanying Requirement Sheet *(not copied into table)* sets out the minimum engineering information that must be provided by	requirements of the Development Consent Order which in turn secure control measures contained within management plans. There are legal mechanisms in place to deter breach and enforce compliance. The DCO is a statutory instrument, and it is a criminal offence under section 161 of the Planning Act 2008 if the Applicant were to breach any terms of the DCO. Therefore, the Applicant must strictly adhere to the terms of the DCO, and NYC as the local planning authority is empowered to enforce compliance under the Planning Act 2008 if there were to be a breach of a requirement.

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		the Applicant to allow proper assessment of the proposed development. Current drawings are basic and lack the detail necessary to understand access constraints, structural design, drainage interaction, emergency routing, and resident impact. The drawings supplied by residents (referenced in this submission) demonstrate the level of clarity and technical accuracy required. The Applicant must therefore furnish fully detailed, scaled 2D/3D engineering drawings, complete structural calculations, and full materials and coatings specifications to an appropriate engineering standard. Without this information, neither the Examining Authority nor affected residents can meaningfully evaluate safety, suitability, or long-term operational impacts of the scheme. These requirements are essential for transparency, accountability, and proper scrutiny under the NSIP process.	
	GY_17	**Deadline 3 – Request Schedule** This document sets out my formal Deadline 3 requests for information required to support examination of the Light Valley Solar proposal. Sample of Quality Plan Request: LVS to supply a sample of their Quality Plan. Delivery Matrix: Request Transport Division to submit the mid to large ancillary-components delivery matrix (dimensions, SWL, quantities, lorry type, delivery route). Network Analysis Request: LVS to provide the network analysis showing critical path and predicted duration. Test Procedures Request: LVS to provide a selection of test procedures.	The Applicant notes these requests but also notes that these are not matters that are relevant to the consideration of the principle of whether planning should be granted or not. These are matters relating to the detailed design and implementation, should consent be granted. As noted in the response to GY_14, the design and implementation will accord with national and industry standards. The level of detailed provided by the Applicant within the Application is of the same level of detail as other DCO applications and is considered to be of appropriate detail at this stage in the project. This sets out indicative construction programmes and

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		Completion Estimates Request LVS to provide earliest and latest completion dates for all sites. Overspend Recovery Request LVS to explain how overspend is recovered without government subsidy.	transport arrangements, but the final design, including equipment specifications will be at the design and construction stage, meaning that this detail will not be determined until post-consent. **ES Volume 1, Chapter 2 - The Proposed Development [REP2-028]** sets out for each technical discipline, the maximum (and where relevant, minimum) parameters for the elements where flexibility needs to be retained have been assessed under the Rochdale Envelope approach. The technical assessments therefore assess an 'envelope' within which the works would take place (the Rochdale Envelope). As such, the DCO Application and EIA is based on maximum and, where relevant, minimum parameters. ▪ The **Funding Statement [APP-021]** confirms that Light Valley Solar will not require government subsidy to implement.
	GY_18	**Key Points for Deadline 3** The Applicant has not provided mandatory engineering drawings, structural calculations, site-access geometry, drainage-interaction mapping, or emergency-routing detail requested in Deadline 2. Without certified engineering documentation, neither the Examining Authority nor residents can assess safety, suitability, or long-term operational impact.	Please see response to GY_16 above. The Applicant considers the level of detail provided within the Application to be appropriate for this stage of a project. The level of detailed provided by the Applicant within the Application is of the same level of detail as other DCO applications and consented DCOs and is considered to be of appropriate detail. Given the rapid development in

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		Some drawings submitted require reworking to add essential dimensions. A Bill of Materials is required for each site to quantify avoidable disruption from material distribution My evidence includes the "Nature Strikes Back" drone footage from Ampleforth showing drainage failure, soil instability, environmental damage, real-world conditions similar to Light Valley. The Applicant has not responded to the required 250-metre residential setback; their 10–15 m proposal must be replaced by a government-set standard. Ministerial engagement is active; Kier Mather's office and DESNZ have been briefed. I am prepared to supply additional technical evidence if Ministers request it. Hillam's 153-acre approval demonstrates: cumulative burden, opportunistic land acquisition, regional over-targeting, policy gaps being exploited. SMR programme timing remains a critical national-strategy factor requiring coordinated energy-infrastructure planning. I will upload the drawings requiring action as part of this Deadline 3 submission.	technology the exact specifications of the materials and equipment to be used will be determined at the time of construction however will be required to accord with the **Design Parameters and Commitments document [EN0110012/APP/LVS/05.06] [updated alongside this submission]**. The Applicant notes the reference to drone footage from Ampleforth. However, conditions observed at another development cannot be directly extrapolated to the Proposed Development, as drainage behaviour and soil effects are dependent upon site-specific conditions, design, construction practices and mitigation. The potential effects of the Proposed Development on surface water, flood risk and soils have been assessed through the EIA, with the **Outline Drainage Strategy [EN0110012/APP/LVS/06.03.15.04] [updated alongside this submission]** providing for the management of runoff through measures including attenuation and controlled discharge. Soil impacts arising from construction have also been assessed and appropriate soil management measures identified. The Applicant therefore considers that the footage does not, in itself, demonstrate that comparable effects would arise from the Proposed Development.

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			The Applicants response to ExA Written question Q1.9.8 within **The Applicant's Response to the Examining Authority's First Written Questions [REP3-019]** addresses the interested party comments on residential set backs. Standard offsets from residential properties to solar farm development are not defined in law or policy. Neither national planning policy, the adopted Selby development plan nor current North Yorkshire planning policy prescribes a minimum separation distance between solar infrastructure and residential properties. The appropriate offset is consequently a matter of planning judgement informed by site circumstances, environmental assessment outcomes and good design rather than compliance with a fixed policy standard.
	GY_19	The below has not be included in this table as repetition from the submission points above. Deadline 3 reinforcement (high impact) Technical Governance Concern Drawing deficiency record	Please refer to responses above.

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	GY_20	**Drawing Governance Failures, Unanswered Transmittals & Fryston Common Lane Clarification** The applicant has submitted drawings that are not suitable for examination. Essential information is missing or unreadable, including drawing numbers, revision identifiers, grids, and key dimensional detail. Several drawings are reduced to near-2D linework, preventing meaningful technical review. Attempts to initiate a Change Notice (CN) revision-request process have been blocked. Previous transmittals requesting clarification or correction remain unanswered, leaving no operational revision-control mechanism. This situation prevents traceable document governance and limits the ability to review or respond to the submitted material. **Fryston Common Lane – Additional Clarification (Sites 2, 6, 7 & 8)** The applicant states that "Fryston Common Lane has been removed for construction traffic but retained for emergency access only." No evidence has been provided to demonstrate that the road is structurally or geometrically suitable for emergency vehicle loading, swept-path access, or safe year-round use. If the road is unsuitable for construction traffic due to condition or geometry, it cannot be designated as an emergency access route without supporting assessments. This inconsistency requires clarification and corrective documentation.	Please see response to GY_16 above in regard to drawings. The use of Fryston Common Lane is proposed for emergency vehicle access only and would not form part of the general construction traffic routeing. As Fryston Common Lane forms part of the adopted highway network and as outlined within Table 14-14 of **ES Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** has a baseline HGV traffic flow of 3 HGVs per day it is considered reasonable for it to be used for this limited purpose. The Applicant notes that Fryston Common Lane was discounted because other more suitable alternative routes were identified that are considered more appropriate for accommodating construction traffic associated with the Proposed Development. The retention of Fryston Common Lane for emergency access does not require any change to the existing operation of the route. Emergency vehicles would continue to access existing residential and commercial premises using Fryston Common Lane in the same manner as occurs currently. The Applicant is not proposing any dedicated emergency access arrangements beyond those already available via the existing highway

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			network. Consequently, the Applicant does not consider that separate geometric or structural assessments are required to demonstrate the continued use of the route for this limited purpose.
REP3-053 West Haddlesey Parish Meeting	WHPM_01	**WHPM Comments on Information Received at Deadline 1** WHPM Comments on LVS Document - Written Summary of Applicant's Oral Submissions Issue Specific Hearing 1 - Document Reference: EN0110012/APP/LVS/08.08 – August 2026 Appendix B of this document provides a Technical Note in response to the Examining Authority's request that the Applicant make clear the options that have been considered for access route to Solar Development Site 4, and why the route from the A19 via West Haddlesey was selected. WHPM Comments on Section B.5 Route 1 via West Haddlesey LVS states at B.3.1 … *"The route options have been considered against a set of transport and access criteria relevant to construction traffic routing. These include directness from the Strategic Road Network (SRN), suitability of the local highway network, ability to serve the relevant Solar Development Site 4 access points, interaction with local communities and sensitive receptors, existing highway constraints and restrictions, requirement for additional highway works or traffic management, and consistency with the wider construction traffic strategy."* As we have already demonstrated in our earlier written submissions, LVS did not consider any of the sensitive receptors	The Applicant acknowledges the viability of Gateforth New Road and has undertaken an assessment of this as a potential route to the northern Solar Development Site 4 accesses. The relevant assessment tables within **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]** and **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** have been updated, which are being submitted at Deadline 4. The updated assessment does not alter the conclusions reached in relation to the suitability of the route through West Haddlesey, but provides an assessment of Gateforth New Road as an additional option for accessing the northern parts of Solar Development Site 4. The inclusion of Gateforth New Road as an additional access route to the northern Solar Development Site 4 accesses (as reflected in the updated outline **Construction**

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		and single lane bridge in West Haddlesey when deciding on the route to Site 4 (see also 3.1.2.1 below). LVS states at B.5.1… "*This route provides a direct connection from the SRN to Solar Development Site 4 and avoids need for construction traffic to travel through additional settlements or undertake longer indirect movements before reaching the site.*" It should be noted that the alternative route via Gateforth would be along the A19 and Selby by-pass. The route would only pass through the settlement of Burn on the A19 which is on the SRN before passing through Gateforth. Burn is therefore already subject to very high traffic volumes. Gateforth village has no receptors and is already identified as a construction route for the Cable Corridor. Gateforth New Road and Hillam Road fall outside the scope of the Prohibition of Heavy Commercial Vehicles Order. It should be noted that Gateforth is also subject to a 40mph speed limit which indicates a lower density of development and pedestrian activity when compared to West Haddlesey which has a 30mph limit. The impact on additional settlements is therefore not central to the consideration of the alternative route and we contend that the use of the alternative route would avoid the significant problems inherent in the route through West Haddlesey (which are in part recognised by LVS at B.5.2 in the document). The comment regarding longer movements is not considered a compelling line of reasoning. Google map data, from the M62, J34, to a point midway along Roe Lane, gives a car driving time of 13 minutes using the route through West Haddlesey compared with 27 minutes for the route from the A63 along Gateforth New Lane and Hillam Road. We consider that, when judged against the presence of sensitive receptors; community impact; risks to road	**Traffic Management Plan (oCTMP) [EN0110012/APP/LVS/07.12] [updated alongside this submission])** provides an opportunity to distribute construction traffic across multiple routes, thereby reducing the volume of traffic and associated effects experienced on any single route.

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		users; and pedestrians by using the West Haddlesey route, such a relatively small difference in journey time should not be a factor in deciding on the most appropriate route. The applicant has stated that "the construction access strategy was not focussed on financial implications" (Applicants Response to Submissions Received at Deadline 1, September 2026 REP1-017, WR-WHPM-17, p16). Therefore, it is to be expected that the financial implications of this small difference in journey times would be acceptable to LVS given that it is consistent with their stated position that the focus is not on financial implications.	
	WHPM_02	**WHPM Comments on Section B.6 Route 2: via Gateforth** At B.6.1 LVS recognised that this route allows approaches by other points on the SRN however they reiterate the issue about longer journey times. Our response, given immediately above, is also relevant to the applicant's statement at B.6.1. We also note at B.6.1 that the applicant does not identify the correct alternative route which would be from the A63 (Selby by-pass) alone Gateforth New Road and Hillam Road to Roe Lane. Instead, they propose a routing along Pale Lane which was never identified by LVS as a construction route whereas the route through Gateforth and onto Hillam Road is already accepted by LVS as a route for construction traffic. We are pleased that the Examiners have also identified this error and that it is reflected in their question on routing to SD4 (Q1.14.8). We would ask that the Examiners also note that Gateforth New Road and Hillam Road fall outside of the area covered by the Heavy Commercial Vehicle Prohibition Order put in place by NYC. We maintain our position that this Order, although not prohibiting	As the applicant stated in response to ExQ 1.14.8 within **The Applicant's Response to the Examining Authority's First Written Questions [REP3-019]**, the Technical Note submitted at Deadline 1 within the **Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 1 [REP1-004]** was prepared for the specific purpose of explaining the selection of the construction route from the A19 via West Haddlesey to the southern access to Solar Development Site 4 on Birkin Road. The scope of that note was therefore limited to the alternative routes available for accessing that particular part of Solar Development Site 4 and was not intended to constitute a comprehensive review of the construction routing arrangements for all Solar Development Site 4 accesses.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		construction vehicles, is a tacit acknowledgement by North Yorkshire Council that the route from the A19 through West Haddlesey is inherently unsuitable for HGV traffic. This Order is not mentioned by LVS in this document when considering an alternative route.	The Applicant acknowledges that since the DCO application was submitted and accepted a Heavy Commercial Vehicle Prohibition Order has subsequently been approved affecting parts of the local highway network. However, the existence of the Order does not invalidate the baseline traffic survey data or the assessment undertaken. The route already accommodates HGV traffic associated with agricultural, local access and operational activities, and the Order includes exemptions for certain classes of vehicle movement. The assessment of construction traffic effects remains valid and the Applicant does not consider that the existence of the Order alters the conclusions presented within **Environmental Statement Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** or the **Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**.
	WHPM_03	**WHPM Comments on Section B.8 Preferred Route and B.9 Summary** These Sections deal with the choice of route for Site 4 through West Haddlesey and construction vehicle forecasts are presented.	The Applicant notes the comments regarding the forecasting methodology and the comparison of the West Haddlesey and Gateforth route options.

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		We consider that basing these forecasts on other planning documents from other solar sites is liable to be inaccurate. We maintain our view that LVS should provide a breakdown HGV categories and movements based on what is actually being constructed. We recognise that the Examiners have questioned the traffic movement data in their Q1.14.4. We would also wish there to be some consideration of whether the predicted vehicle movements for comparable solar sites have been reliable when compared to actual vehicle movements. It is our understanding that during the actual construction period at other sites there have been significantly greater peak movements than those predicted. We ask that Examiners consider whether LVS should be required to provide information on detailed post-construction assessments or audits that may have been undertaken for built solar sites that compare actual vs predicted movements especially with regard to peaks in traffic movements in order to validate their predictions. We consider this has relevance for all Sites. In their summary at B.9 the Applicant states that: "All A19 approaches require construction traffic to pass through settlements and would therefore generate comparable local effects. Consequently, the route via West Haddlesey was identified as the preferred option as impacts can be managed, noting that the assessment is based on a worst-case assumption that all traffic would use this route; in reality there will be assignment of some traffic onto the routes from other parts of the Strategic Road Network." WHPM contends that, for the reasons set out in our detailed written comments at Deadline 1 and in this document, that the alternative route via Gateforth New Road and Hillam Lane would	The construction traffic forecasts presented within the Transport Assessment are not based on arbitrary assumptions. The forecasting methodology is described in **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]** and was developed using information from comparable utility-scale solar developments, the installed capacity of each Solar Development Site, construction programme information and contractor inputs. The Applicant is not aware of any evidence demonstrating that the traffic forecasts used for the Proposed Development materially underestimate construction traffic when compared with completed solar developments. The forecasts have been informed by construction methodologies and delivery programmes from comparable projects and provide an appropriate basis for assessment. The Applicant acknowledges the viability of Gateforth New Road and has undertaken an assessment as a potential route to the northern Solar Development Site 4 accesses. The relevant assessment tables within TA and **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** have been updated,

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		not "generate comparable local effects." The route by Gateforth New Road and Hillam Lane is not as problematic as the route through West Haddlesey and presents a much lower risk. We also consider that the LVS statement that "West Haddlesey was identified as the preferred option as impacts can be managed " is somewhat disingenuous as the decision on routing via West Haddlesey was taken by LVS at a time when they were totally ignorant of the presence of receptors such as the park, Village Hall, primary school and children's playground along that route and without knowledge or consideration of the single lane Tankards Bridge that has no footways.	which are being submitted at Deadline 4. The updated assessment does not alter the conclusions reached in relation to the suitability of the route through West Haddlesey, but provides an assessment of Gateforth New Road as an additional option for accessing the northern parts of Solar Development Site 4. The inclusion of Gateforth New Road as an additional access route to the northern Solar Development Site 4 accesses provides an opportunity to distribute construction traffic across multiple routes, thereby reducing the volume of traffic and associated effects experienced on any single route.
	WHPM_04	**WHPM conclusion** We consider a responsible approach from the Applicant would be to seek alternative solutions that would avoid HGV and construction traffic on an unsuitable road and minimise the risk to road users and pedestrians. This is especially the case given the rationale for the imposition of the Heavy Commercial Vehicle Prohibition Order and the risks inherent in the route through West Haddlesey. An Applicant committed to minimising the impact of a development on communities would work constructively to consider alternatives in detail and, rather than simply ignore the Prohibition Order, would recognise the importance of addressing the underlying safety concerns. Based on their responses thus far, WHPM judge that LVS has shown little willingness to do this in any	An outline **Construction Traffic Management Plan (oCTMP) [EN0110012/APP/LVS/07.12] [updated alongside this submission]** has been prepared and includes measures to minimise impacts during construction. The Applicant notes that discussions with NYC Highways regarding traffic and transport matters remain ongoing. This includes continued engagement on enhancements to the **oCTMP** text, with updated wording proposed for Deadline 4 to further strengthen commitments relating to the management of construction traffic and the protection of vulnerable road users, including pedestrians, cyclists and equestrians.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		considered way nor have they engaged constructively with communities impacted by their proposed development.	The final CTMP will include routing controls, timing restrictions, driver briefings and traffic management measures where required to ensure construction traffic is appropriately managed – and will be agreed with North Yorkshire Council prior to construction. The Applicant acknowledges that since the DCO application was submitted and accepted a Heavy Commercial Vehicle Prohibition Order has subsequently been approved affecting parts of the local highway network. However, the existence of the Order does not invalidate the baseline traffic survey data or the assessment undertaken. The route already accommodates HGV traffic associated with agricultural, local access and operational activities, and the Order includes exemptions for certain classes of vehicle movement.
	WHPM_05	**WHPM Comments on North Yorkshire Council Documents** NYC Letter of 11 August 2026 regarding Post Hearing Submissions Action Points NYC Document – Local Impact Reports from Local Authorities We wish to record our concern that the lack of resources at North Yorkshire Council may be limiting their ability to adequately engage with the process, particularly with regard to the traffic and	The Applicant notes these comments. The assessment further concluded that the forecast construction traffic effects would be temporary and would not result in significant highway safety effects.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		transport concerns in relation to the route to Site 4 and more generally for the other Sites. WHPM note that, in the letter regarding Post Hearing Submissions Action Points, NYC state that: *"Due to the short timescale provided for submission, and the absence of key technical officers, North Yorkshire Council is not in a position to provide responses to all action points required for Deadline 1."* WHPM also note that the Local Impact Report only contains two points where NYC comment on the route to Site 4 (points 12.11 and 12.12 on page 35) despite the significant road safety concerns being raised in relation to this route and other routes throughout the area covered by the proposed development. Although we welcome the Examiners' inclusion of NYC in the question posed on the construction route to Site 4, we ask that Examiners remain mindful that resource constraints at NYC could be a factor in any response received. It is clear in the LIR that there are significant differences in relation to the resources available within NYC with extensive responses on Ecology and Biodiversity, which is covered in 14 pages, but much more limited responses on Traffic and Transport with only 6 pages on this key area that has relevance to the safety of road users and communities; and where important concerns regarding road safety have been raised by multiple Parish Councils and others.	The Applicant does not consider that the comments raised regarding North Yorkshire Council's internal resourcing affect the conclusions of the traffic and transport assessment. Throughout the Examination process the Applicant has continued to engage with North Yorkshire Council on traffic and transport matters and has responded to the issues raised through written submissions, Statements of Common Ground discussions and technical meetings. The Applicant recognises that North Yorkshire Council has raised additional questions regarding certain locations on the network during the Examination. These matters have been discussed through ongoing engagement and, where appropriate, the Applicant has provided additional information or clarification. The Applicant remains in regular discussion with North Yorkshire Council regarding traffic and transport matters, including updates to the **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]**, which is being enhanced at Deadline 4 to strengthen commitments relating to vulnerable road users, route-specific traffic management measures and construction traffic management on sensitive parts of the highway network.

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			Accordingly, the Applicant remains satisfied that highway safety has been appropriately assessed and that the conclusions of the traffic and transport assessment remain unchanged.
	WHPM_06	**Comments on Information Received at Deadline 2** Light Valley Solar Environmental Statement Volume 1 Chapter 14: Traffic and Movement Document Reference: EN0110012/APP/LVS/06.01.14 September 2026 Version 2. (Clean Version) Before the specific points on the document, that are listed below, WHPM have one important general point on the baseline figures for HGVs travelling through West Haddlesey. The existing figures used by LVS for HGVs are moot as, since June 2026, the Birkin Road; Haddlesey Road; and Millfield Road, have been covered by a NYC Prohibition of Heavy Commercial Vehicles Order that prohibits through traffic over 7.5 tonnes. Our expectation is that once signage and information on the Heavy Commercial Vehicle Prohibition Order permeates to hauliers then the through traffic numbers of HGVs will drop, making the LVS construction HGVs form a much greater proportion of HGV traffic. This is a significant change which undermines the assessment conducted and presented in the documentation.	The Applicant notes the comments regarding the Heavy Commercial Vehicle Prohibition Order and the suggestion that the HGV baseline used within the assessment is no longer representative. The baseline traffic conditions presented within **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]** are based on observed traffic survey data collected on the local highway network. These surveys provide the baseline against which the effects of construction traffic associated with the Proposed Development have been assessed. The Applicant acknowledges that a Heavy Commercial Vehicle Prohibition Order has subsequently been approved affecting parts of the local highway network. However, the existence of the Order does not invalidate the baseline traffic survey data or the assessment undertaken. The route already accommodates HGV traffic associated with agricultural, local access and

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			operational activities, and the Order includes exemptions for certain classes of vehicle movement. The Applicant remains in discussion with North Yorkshire Council regarding the implementation and interpretation of the Order. The assessment of construction traffic effects remains valid and the Applicant does not consider that the existence of the Order alters the conclusions presented within **Environmental Statement Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** or the **Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**.
	WHPM_07	**Receptors in West Haddlesey** In Table 14-8, for Birkin/Millfield Road, LVS state, under High Sensitivity, that: *Birkin / Millfield Road passes through the residential area of West Haddlesey. The route has a footway on at least one side of the carriageway but passes by Chapel Haddlesey Primary School, a sensitive receptor.* The revised document still makes no mention of the West Haddlesey Children's Playground nor the Doorstep Green Recreation Park nor the Village Hall. None of these are identified as high or even medium receptors yet all add to the concerns	The Applicant notes the comments regarding the identification of receptors within West Haddlesey. The purpose of Table 14-9 (Table 14-8 as referenced provides the criteria for receptor sensitivity) within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** is to identify the characteristics of each route and assign an

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		about this route choice and have been repeatedly identified to LVS. They remain unrecorded and unaddressed in the revised core LVS documents. Only the school is mentioned as a sensitive receptor in the revised Traffic and Movement Plan and mentioned in the revised oCTMP. This is particularly disappointing given that sensitive receptors, as defined in Table 14-8 of the Traffic and Movement Plan, explicitly identify playgrounds as being receptors of high sensitivity; and community centres (Village Hall) and parks/recreation areas (DoorStep Green) as being receptors of medium sensitivity. It difficult to avoid the conclusion that this is a deliberate act of omission to avoid documenting fully the hazards and risks posted by this route. WHPM is of the opinion that, by not recording their existence in their core documentation, LVS avoid the difficulties in mitigating the risks posed by use of the route. Clearly mitigating the risks posed to the community using these facilities is inherently more problematic given that, unlike the school, these facilities are in use throughout day and also into the evening and weekends. In relation to mention of footways, the route has no footway at the single lane Tankards Bridge which is the only crossing point of the Selby Canal for pedestrians. The footway to and from the school is also narrow and on the opposite side of the road to the school. Footways in the village also change sides of the road necessitating pedestrians to cross over the roadway at several points.	appropriate sensitivity based on the presence of receptors and the nature of the receiving environment. It is not intended to provide an exhaustive list of every individual receptor, facility or community asset located along a route. The Applicant acknowledges the presence of additional community facilities in West Haddlesey, including the Children's Playground, Doorstep Green and the Village Hall. However, the omission of specific references to these facilities from the route description does not alter the sensitivity assigned to the route or the conclusions of the assessment. The route has been assessed as a high sensitivity route, reflecting the presence of residential properties, community facilities and pedestrian activity within the village. The assessment presented within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** therefore already applies the relevant sensitivity classification to the route. Consequently, the inclusion of additional examples of community facilities would not alter the assessment methodology, the significance of effects identified or the conclusions reached.

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			The Applicant also notes that discussions with North Yorkshire Council regarding traffic and transport matters remain ongoing. This includes consideration of additional commitments to be incorporated into the updated **Outline Construction Traffic Management Plan [EN0110012/APP/LVS/07.12] [updated alongside this submission]** at Deadline 4, including measures relating to vulnerable road users, pedestrians, cyclists and equestrians using sensitive sections of the highway network.
	WHPM_08	**Baseline Traffic Flow** In Table 14-8, on page 53, LVS correct the baseline traffic flow for Haddlesey Road from the incorrect figure of 50 to 9 however the %HGV figure has not been corrected, an incorrect figure of 14% HGVs remains in the table when the correct baseline figure for Haddlesey Road should be 3%. This error is also present in Table 14-19 on page 70. WHPM now note the corrected figure of a 69% increase of HGVs on the Haddlesey Road and 26 % increase on the Birkin Road. We consider these increases are significant along a road where NYC has been sufficiently concerned about its suitability for heavy commercial vehicles that it is subject to a Heavy Commercial Vehicle Prohibition Order for through traffic. The expectation is that peak levels would be higher. Given the receptors in West Haddlesey (see 3.1.2.1 above) we maintain our conclusion that	The Applicant notes this comment. The Applicant acknowledges that an incorrect percentage figure remained within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** following correction of the baseline HGV flow on Haddlesey Road. This matter has been identified previously and was addressed within the Applicant's response to the Examining Authority's First Written Questions. The Applicant confirmed that the baseline HGV flow for Haddlesey Road should be corrected from 50 HGVs per day to 9 HGVs per day and that the resulting percentage changes in HGV traffic should be updated accordingly.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		this route is unsatisfactory and poses a high risk to road users, pedestrians, residents and children.	The Applicant notes, however, that the key consideration for the assessment is the sensitivity assigned to the route and the resulting significance of effects, rather than the inclusion or omission of individual percentage figures within the route description tables. The route through West Haddlesey has been assessed as a high sensitivity route, reflecting the presence of residential properties, community facilities and pedestrian activity within the village. The corrected HGV percentages do not alter the underlying assessment methodology or the conclusions of **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** and **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**. As confirmed in the Applicant's response to the Examining Authority's First Written Questions **[REP3-032]**, the correction results in a greater proportional increase in HGV movements on Haddlesey Road because of the lower baseline, but the forecast increase remains limited in absolute terms, with approximately six additional HGV movements per day during peak construction. The

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			assessment conclusions therefore remain unchanged. In addition, the Applicant has undertaken further assessment of Gateforth New Road as a potential route to the northern Solar Development Site 4 accesses, with the updated assessment being included within the revised Chapter 14 and Transport Assessment submissions at Deadline 4. This provides an opportunity to distribute construction traffic across multiple routes rather than relying upon a single route to serve all Site 4 traffic, as set out in the updated **oCTMP [EN0110012/APP/LVS/07.12] [alongside this submission]**.
	WHPM_09	**Accident blackspot – A19 Chapel Haddlesey Crossroads** At 14.8.32, page 57, LVS maintain that there is no evidence of accident clustering at the A19 Chapel Haddlesey crossroads. We stand by our detailed comments made in our response to Deadline 1 with regard to accidents at the A19 crossroads. We contend that there is a significant cluster of accidents at the A19 crossroads that the Applicant's submission does not identify. We consider the risks at the crossroads are significantly underestimated and that this is a well-known accident blackspot.	The Applicant notes the comments regarding the A19 Chapel Haddlesey crossroads and the suggestion that the collision history at this location has been underestimated. The assessment of road safety effects is presented within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14]** [updated alongside this submission] and **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**. The

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			assessment was undertaken using recognised personal injury collision data sources and standard transport assessment methodologies. The Applicant acknowledges that local residents may be aware of incidents which do not form part of the formal collision record used in the assessment. However, the assessment is based on the recognised datasets available for highway safety analysis and concluded that there is no evidence of collision clustering that would indicate a specific highway safety issue that would be materially worsened by the Proposed Development. The forecast increase in construction traffic associated with the Proposed Development would be temporary and limited in absolute terms. The assessment therefore concluded that construction traffic effects on highway safety would not be significant. An outline **Construction Traffic Management Plan (oCTMP) [EN0110012/APP/LVS/07.12] [updated alongside this submission]** has been prepared and includes measures to minimise impacts during construction, including reducing HGV movements during peak periods and managing employee movements. The final CTMP will be agreed with

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			North Yorkshire Council prior to construction and will include appropriate routing, driver briefing and traffic management measures where required. Accordingly, the Applicant remains satisfied that the conclusions of the road safety assessment remain unchanged.
	WHPM_10	**Vehicle speeds through West Haddlesey** In Table 14-30, on page 97, and Table 14-31 on page 98, vehicle speeds are given for the Birkin and Haddlesey Roads. WHPM considers these are not representative of the concerns in West and Chapel Haddlesey about speeding. We assume these figures are derived from the automated traffic count data generated by LVS. While we accept that they reflect the collected data, the placement of the automated traffic counters was in areas where vehicles would be travelling slowly due to parked vehicles and other road constraints. There are long standing concerns about speeding along the straight areas of road either side of Tankards Bridge such that WHPM has approached NYC with a view to gathering automated traffic data in the areas of concern to support the establishment of a Community Speed Watch. We would ask that Examiners treat the vehicle speeds presented in Table 14-30 with caution as they are highly likely to underestimate the propensity of vehicles to speed on the straight stretches of road either side of Tankards Bridge.	The Applicant notes the comments regarding vehicle speeds through West Haddlesey. The speed data presented in **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]** is based on observed traffic survey data collected on the local highway network and therefore represents the measured traffic conditions at the survey locations during the survey period. The Applicant acknowledges that local residents may have concerns regarding driver behaviour and speeding at particular locations along the route. However, the assessment has been undertaken using observed traffic data and established assessment methodologies. The assessment presented within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			alongside this submission] considers the effect of construction traffic on route users, including pedestrians and other vulnerable road users. The assessment concludes that the temporary construction traffic associated with the Proposed Development would not result in significant traffic and movement effects. An **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** has been prepared and includes measures to minimise impacts during construction. The final CTMP will be agreed with North Yorkshire Council prior to construction and will include controls on construction vehicle routing, driver behaviour, vehicle speeds and traffic management where required. Accordingly, the Applicant considers that the observed traffic data provides an appropriate basis for assessment and that construction traffic can be appropriately managed through the measures secured in the final CTMP.
	WHPM_11	**WHPM Comments on Information Received at Deadline 1** Light Valley Solar Outline Construction Traffic Management Plan (oCTMP) Document Reference: EN0110012/APP/LVS/07.12 September 2026 - Version 2 And also 08.19 The Applicant's Response to Submissions Received at Deadline 1 - Parish Councils and Non-Statutory	The Applicant notes the comments regarding potential interaction between construction traffic and school-related activity within West Haddlesey and Chapel Haddlesey.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		Organisations Document Reference: EN0110012/APP/LVS/08.19 September 2026 Conflicts with school hours In Section 3.14 of the oCTMP - HGV timings and Restrictions on Working Hours LVS at 3.14.5 LVS still state that (our bold): *"The CTMP will commit to measures to encourage construction vehicles avoiding the need to travel during the network peak hours. Therefore, deliveries will be scheduled for between 09:30 and 16:30, unless this not practically possible following delays or an emergency (or if deliveries are required for activities requiring 24 hour activity such as HDD). This will avoid HGV traffic arriving during the morning peak hours, creating conflict with local residents' commute or school runs. Construction worker shifts will be scheduled so that workers are not travelling during the network peak hours of 08:00-09:00 and 17:00-18:00."* WHPM has already stated in our submission at Deadline 1 that "*Given the school's published hours are readily available – it opens at 7.45 am with registration at 8.50am and it closes at 3.30 pm with an after-school club on site that runs until 5.30pm – the mitigation proposed by LVS on deliveries is inadequate."* The LVS oCTMP still allows deliveries to take place between 09.30 and 16.30. As we have stated, the school closes at 3.30pm therefore children not attending the after-school club are picked up at 3.30pm which is during the period that LVS has identified as suitable for deliveries. This is a direct conflict with the afternoon school run. It should also be noted that LVS also does not address this conflict in their Response to Submissions at Deadline 1-	The Applicant remains in regular discussion with North Yorkshire Council regarding construction traffic management measures. This includes consideration of additional commitments incorporated into the updated **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** at Deadline 4, including measures relating to vulnerable road users, pedestrians, cyclists and equestrians using sensitive sections of the highway network. More generally, construction traffic will be managed through measures included within the oCTMP, which will be developed further through a detailed Construction Traffic Management Plan (CTMP) as secured through the DCO. These measures are applied across the full project site, and include: • Scheduling deliveries to avoid peak travel periods, with no deliveries allowed before 9.30am and after 4.30pm, as set out in the outline CTMP. This commitment would also avoid the breakfast club timescales and be ahead of the pick up times for afterschool clubs when parents are dropping off or collecting children. • Clear signed routing for construction vehicles Contractor management procedures, including strict

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		EN0110012/APP/LVS/08.19 of September 2026 simply stating, on page 11 of that document, that the oCTMP includes timing restrictions to avoid the core school pick up and drop off times which is clearly untrue as pick-up time is not avoided.	penalties for drivers who do not comply with standards • Temporary speed management measures, to be agreed with the North Yorkshire Council. The final CTMP will be agreed with North Yorkshire Council prior to construction and will include detailed controls relating to vehicle routing, timing restrictions, traffic management measures and the management of interactions between construction traffic and sensitive receptors. This will provide the core mechanism for securing location-specific traffic management and timing restrictions. Accordingly, the Applicant does not consider that the points raised alter the conclusions of the traffic and transport assessment.
	WHPM_12	**Conflicts with other pedestrians** Additionally, in our submission at Deadline 1, we also stated the following, with respect to concerns about the risks to others: *"The restriction on deliveries appears only proposed in relation to the school however vulnerable road users such as parents with children, especially those in push chairs, may be present during the day accessing the Post Office, Children's Playground, Village Hall events and Doorstep Green Park or walking to the bus stop on the A19 (as would elderly residents). These individuals walking on narrow footways which switch from one side of the road to the*	The Applicant notes the concerns raised regarding pedestrians and other vulnerable road users within West Haddlesey. The potential effects of construction traffic on pedestrians and other non-motorised users have been assessed within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** and **ES Volume 3,**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		other are equally at risk and deserve due consideration (see SD2 Figure 27 as an example). This again underlines the unsuitability of this route." This is not covered by the mitigation presented in the updated oCTMP and no response on the above point is provided in the LVS Response to Submissions at Deadline 1- EN0110012/APP/LVS/08.19 of September 2026. Our point is made in the Table in that document at REP1-017, WR-WHPM-08 on pages 11-12 but the response fails to address the above point. LVS has repeatedly maintained that *"temporary increase in traffic is not expected to materially change the existing level of risk, and that any temporary impacts arising from the Proposed Development can be effectively managed through the measures set out in the outline Construction Traffic Management Plan (oCTMP) [updated alongside this submission]*". WHPM contend that, taken together, the HGV traffic; large numbers of LGVs; and worker car traffic involved in the construction of Site 4 and the Cable Corridor represent a material change in risk given the number of receptors and hazards presented by this route and which LVS have only recognised at a late stage in the process and several of which are still not reflected in their core application documentation.	**Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**. This assessment considered severance, pedestrian and cyclist amenity and fear and intimidation using recognised assessment methodologies. The Applicant remains in regular discussion with North Yorkshire Council regarding construction traffic management measures. This includes consideration of additional commitments included in the updated **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** at Deadline 4, including measures relating to vulnerable road users, pedestrians, cyclists and equestrians using sensitive sections of the highway network. The Applicant therefore considers that the assessment has appropriately identified and assessed the likely effects of construction traffic, and that the detailed CTMP will provide the mechanism for agreeing location-specific mitigation measures with North Yorkshire Council prior to construction.
	WHPM_13	**Saturday construction traffic and weekend working** In our Deadline 1 submission, WHPM identified weekends as being the peak time for recreational use of the area including by	The Applicant makes note of these comments.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		cyclists and horse riders. We stated in our Deadline 1 submission that Saturday working would present a high risk of accidents and that over the whole area of unclassified roads there should be significant restrictions imposed on any weekend work to ensure safe recreational use and to allow residents of all villages in the area covered by the LVS application to peacefully enjoy their weekend. We consider that the response to this point, REP1-017 WR-WHPM-11 on page 13 of the LVS Response to Submissions at Deadline 1-EN0110012/APP/LVS/08.19 of September 2026, is inadequate. LVS do not address the risk to vulnerable road users in any meaningful way. LVS simply state that the work is necessary to allow an efficient construction programme. We consider that this inadequate and does not address the safety aspects. We ask that Examiners consider this concern further.	The **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** includes restrictions on construction working hours, with activities on Saturdays limited to 08:00 to 13:30. The Applicant's advises that that limited Saturday working is required to maintain an efficient construction programme and avoid unnecessarily extending the overall duration of the works. Restricting Saturday working could prolong the construction period, resulting in temporary construction-related impacts being experienced over a longer timeframe. The Applicant remains in regular discussion with North Yorkshire Council regarding construction traffic management measures. This includes consideration of additional commitments included in the updated **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** at Deadline 4, including measures relating to vulnerable road users, pedestrians, cyclists and equestrians using sensitive sections of the highway network. The final CTMP will be agreed with North Yorkshire Council prior to construction. The proposed approach therefore seeks to balance the need to minimise disturbance to local

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			communities with the objective of completing the construction works as efficiently as possible.
	WHPM_14	**OVERALL** WHPM maintains our position that the route to Site 4 from the A19 is not a suitable route for HGVs nor for the proposed large number of cars and light goods vehicles that would bring workers to Site 4. Use of this route represents a significant risk to the safety of road users and pedestrians. WHPM welcomes the questions posed by Examiners about the use of an alternative, and in our view significantly safer, route. Our overall position on the proposed LVS application is unchanged and we remain supportive of the concerns raised by affected Parish Councils that have submitted comments.	The Applicant notes the comments regarding the overall suitability of the route from the A19 through West Haddlesey to Solar Development Site 4. The route has been assessed within **ES Volume 1, Chapter 14: Traffic and Movement [EN0110012/APP/LVS/06.01.14] [updated alongside this submission]** and **ES Volume 3, Appendix 14.1: Transport Assessment [EN0110012/APP/LVS/06.03.14.01] [updated alongside this submission]**. The assessment considered road safety, severance, pedestrian and cyclist amenity, fear and intimidation, driver delay, route characteristics and the sensitivity of local receptors. The assessment concluded that the forecast construction traffic effects associated with the route would be temporary and would not result in significant traffic and movement effects. The Applicant does not agree that the route is unsuitable for the forecast construction traffic associated with the Proposed Development. The assessment adopts a robust approach by assigning all Solar Development Site 4 construction traffic to the assessed route as a reasonable worst-case scenario. The inclusion of Gateforth New Road provides an opportunity to distribute construction

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			traffic across multiple routes, thereby reducing the volume of traffic and associated effects experienced on any single route. The Applicant remains in regular discussion with North Yorkshire Council regarding construction traffic management measures and route mitigation. This includes updates made to the **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** at Deadline 4, including enhanced commitments relating to vulnerable road users, route-specific traffic management measures and the management of construction traffic on sensitive parts of the network. Accordingly, the Applicant remains satisfied that the effects associated with construction traffic can be appropriately managed and that the conclusions of the traffic and transport assessment remain unchanged.
REP3-052 SSE Hydrogen Developments Ltd	SSE_01	**Ferrybridge Next Generation Power Station** SSE Hydrogen Developments Ltd (part of the Thermal Division of the FTSE-listed SSE plc) ('SSE') previously made a relevant representation to the application made by Light Valley Solar Ltd ('the Applicant') for an Order ('the draft Order') for 'Light Valley Solar', a solar farm with associated battery energy storage system (BESS) near Selby, North Yorkshire ('the Project') (EN0110012).	The Applicant notes these comments and is continuing to discuss a private commercial agreement and protective provisions with SSE

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		SSE is preparing a DCO application for a new low-carbon power station (Ferrybridge Next Generation Power Station ('Ferrybridge')) at the former Ferrybridge C Power Station Site, Kirkhaw Lane, Ferrybridge. The proposed development includes a c.10km gas pipeline corridor that will extend eastwards to a proposed AGI on the gas transmission system (Feeder 29), near Gateforth. The application is at the pre-application stage (EN0110011). The anticipated submission date was recently revised to June 2027, which is therefore not reflected in the Applicant's latest documentation. In the relevant representation, SSE requested that the principle of co-location of the Ferrybridge gas pipeline corridor through Site 4 of the Project is secured in the Applicant's DCO, including through a shared collaboration document. The Applicant has now produced a document entitled 'Interrelationships with other Nationally Significant Infrastructure Projects and Major Development Schemes' ('the Interrelationships Report'). This document provides information on the interrelationships between the Project and other NSIPs, including Ferrybridge. SSE has reviewed the Interrelationships Report and is content that this reflects an accurate summary of the current stage of discussions that it has reached with the Applicant. Of particular importance for SSE is paragraph 4.1.6 of the report which states that SSE is engaged in discussions on both a private commercial agreement and protective provisions with the Applicant. It remains SSE's preference that the protective provisions are included in the Applicant's DCO. SSE is committed to progressing these discussions in a timely manner and will continue to work with the Applicant to secure appropriate arrangements for the co-location	

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		of both developments. SSE therefore maintains the position set out in its relevant representation, until these matters are resolved.	
REP3-049 Ouse & Derwent Internal Drainage Board	O&D_01	The Board writes in relation to the above application after reviewing the Deadline 2 documents/responses. The Board is now satisfied; other than we would ask if we can review the below updated documents when they are re-submitted: ▪ Outline Environmental Masterplan - Site 1 - Sheet 1 ▪ Outline Environmental Masterplan - Site 1 - Sheet 2 The Board wishes to check that any proposed planting is as we have agreed.	The Applicant has consulted with Ouse & Derwent Internal Drainage Board and has made the additional amendments Ouse & Derwent have outlined via email to the Applicant. The updated **Outline Environmental Masterplan (OEM) [EN0110012/APP/LVS/02.12] [updated alongside this submission]** is included within the Deadline 4 submission.
REP3-047 National Highways Limited	NH_01	**NH Relevant Representations – RR-1038 (Comment Reference NH-01)** Protective Provisions for the benefit of NH have yet to be agreed. Negotiations are on going.	The Applicant and NH continue to negotiate bespoke protective provisions with NH, as informed by the Applicant's provision of additional information requested by NH. Once the protective provisions are agreed, the Applicant will update Part 6 of Schedule 15 to the **Draft Development Consent Order (DCO) [EN0110012/APP/LVS/03.01] [updated alongside this submission]**.
	NH_06	**NH Relevant Representations – RR-1038 (Comment Reference NH-06)** NH do not anticipate any material safety or capacity issues given the information provided which states an expectation of 20 two-way movements, which is 10 movements in each direction on the A1(M).	The Applicant notes this comment.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		NH notes the Applicant's intention to consult with NH on any proposals to transport abnormal loads on the SRN. NH require that AILs will be dealt with / approved via the Electronic Service Delivery for Abnormal Loads (EDSAL) - https://nationalhighways.co.uk/road-safety/abnormal-loads-and-the-esdal-system	
	NH_08	**NH Relevant Representations – RR-1038 (Comment Reference NH-08)** An Outline Decommissioning Environmental Management Plan (dated February 2026) Document Reference: EN0110012/APP/LVS/07.04 has been submitted into the examination. Paragraph 1.1.5 if the oDEMP should be updated to include reference to the DEMPT which is to information a DTMP will be submitted to NH for approval. NH also request a change to Requirement 19 to make it clear that reference to "the relevant highway authority" includes National Highways.	The Applicant does not consider the suggested amendments to the **Outline DEMP [EN0110012/APP/LVS/07.04] [updated alongside this submission]** are required because the Applicant does not intend for NH to be an approving body of the Decommissioning Traffic Management Plan (DTMP). Rather, as secured by the **Outline DEMP [EN0110012/APP/LVS/07.04] [updated alongside this submission]**, the detailed DEMP will incorporate the DTMP which in turn (pursuant to Requirement 19) will be submitted to NYC for approval in consultation with the relevant highway authority, the definition of which includes NH. NH will therefore have an opportunity to provide its views on the DTMP when NYC seeks the relevant highway authority's input. The Applicant considers the suggested update to Requirement 19 is not necessary because "highway authority" is already defined by reference to the Highways Act 1980 in the definitions section of the

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			Draft DCO. The Highways Act 1980 defines when a strategic highways company is a highway authority.
	NH_09	**NH Relevant Representations – RR-1038 (Comment Reference NH-09)** An Outline Construction Traffic Management Plan (dated September 2026 Version 2) Document Reference: EN0110012/APP/LVS/07.12 has been submitted into the examination. NH is content with the information provided subject to the change set out in response to NH-015 below.	The Applicant notes this comment. Please see response to NH_015 below.
	NH_10	**NH Relevant Representations – RR-1038 (Comment Reference NH-10)** NH require that AILs are dealt with / approved via the Electronic Service Delivery for Abnormal Loads (EDSAL) - https://nationalhighways.co.uk/road-safety/abnormal-loads-and-the-esdal-system	The Applicant notes this comment and is aware of the approval process.
	NH_13	**NH Relevant Representations – RR-1038 (Comment Reference NH-13)** See response to NH-12 above – No signage is to be placed on the SRN. NH would not expect any signage to be placed on the SRN but if that were to be necessary, NH would look to secure approval of the details via its Protective Provisions.	The detailed CTMP will include details of the proposed signage when this is known. The detailed CTMP must be approved by the relevant planning authority after consulting with the relevant highway authority, which will be National Highways for any measures that apply to the SRN. Protective provisions for National Highways are included at Part 6 of Schedule 15 to the **Draft Development**

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			Consent Order (DCO) [EN0110012/APP/LVS/03.01] [updated alongside this submission] and the Applicant is seeking to agree the form of these protective provisions.
	NH_15	**NH Relevant Representations – RR-1038 (Comment Reference NH-15)** The oCTMP para 1.1.6 it advises that the final CTMP will be submitted for approval of the relevant Highway Authorities. This paragraph should be updated to be clear that relevant highway authority includes NH. In addition, NH also request a change to Requirement 14 to make it clear that reference to "the relevant highway authority" in the requirement includes National Highways.	As secured in requirement 14(3) of the Draft DCO, the detailed CTMP will be approved by the relevant planning authority in consultation with the relevant highway authority, which as noted above, includes NH. The **oCTMP [EN0110012/APP/LVS/07.12] [updated alongside this submission]** has been updated at Deadline 4 to be consistent with this requirement.
	NH_16	**NH Relevant Representations – RR-1038 (Comment Reference NH-16)** Noted and NH should also be consulted on the final form of the DEMP.	A response was issued at Deadline 2 to WR-NH-003, 014 and 022 in The Applicant's Response to Submissions Received at Deadline 1 – Statutory Bodies, stating that the draft DCO has been amended to provide for NH's request in relation to approval of the DEMP.
	NH_23	**NH Relevant Representations – REP1-024 (Comment Reference WR-NH-003)** Noted and NH should also be consulted on the final form of the DEMP.	As confirmed in the response issued at Deadline 2 to WR-NH-003, 014 and 022 in **The Applicant's Response to Submissions Received at Deadline 1 – Statutory Bodies [REP2-118]**, Requirement 19 of the draft DCO has been amended to include the relevant highway authority as a requirement consultee in relation to the relevant planning authority's approval of the DEMP. "Highway authority" is defined by reference to the Highways

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			Act 1980, which includes strategic highways companies such as NH.
	NH_28	**NH Relevant Representations – REP1-024 (Comment Reference WR-NH-009)** The Applicant is requested to provide copies of the relevant documentation for NH's review.	The Applicant notes it has responded to two previous information requests of NH, which has included provision of information on a plot-by-plot basis about the anticipated works which reflect the very limited interface with NH's interests. The Applicant acknowledges NH's further request for information and provided the requested Land Registry documentation to NH on 9 November 2026..
	NH_33	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-014)** Noted and NH should also be consulted on the final form of the DEMP. See also additional comments above.	Requirement 19 has been updated to include National Highways (as a relevant highway authority) as a consultee when the final DEMP is submitted for approval. This is consistent with other DCO's such as that for the Green Hill Solar Farm [EN10170].
	NH_35	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-016)** NH require that AILs will be dealt with / approved via the Electronic Service Delivery for Abnormal Loads (EDSAL) - https://nationalhighways.co.uk/road-safety/abnormal-loads-and-the-esdal-system	Please refer to response NH_06.

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	NH_40	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-021)** The Applicant's change to Schedule 16 is welcomed by NH. However, NH remain concerned that where changes are made to the approved documents — that is, the certified documents (for example, the works plans or the access to works plans) — and those changes have an impact on the SRN. In such cases, NH would not be consulted on those changes. It is those changes which could have a material effect on the SRN and therefore impact on NH's ability to maintain the safe and efficient operation of its network. It is assumed that reference to Requirement 3 is actually to Requirement 2. NH are best placed to assess whether any amendment, however seemingly minor, may impact the SRN. However it is not appropriate for the Applicant to consult with NH on every change to a certified document but NH do need to be satisfied that no amendments proposed affect the SRN or any of NH's interests. Accordingly, NH require a minor amendment to Requirement 2 which secures that NH are consulted on amendments to certified documents but only in relation to the operation of the SRN and any land that NH hold an interest. The following change in red below would address NH's concerns (1) The undertaker may submit any amendments to any approved document to the relevant planning authority for approval (in consultation with National Highways where relevant, in the context of the operation of the Strategic Road Network or any of its interests in land), and, following approval, the relevant approved	The Applicant confirms its previous reference to Requirement 3 ought to have been Requirement 2 (approved details and amendments to them). National Highways would therefore be consulted in relation to the amendment of any management plan for which it is noted as a consultee. The Applicant does not consider additional amendments to Requirement 2 are needed because the Applicant is in the process of negotiating bespoke protective provisions with NH which (and already do, pursuant to the form of protective provisions currently included at Part 6 of Schedule 15) would be triggered in the event of any impact to the SRN or land in which NH has an interest. "Road works" are defined broadly to mean "*so much of any work including highway works, street works, surveys and signalisation authorised by this Order and including any maintenance of that work, but excluding the cable works, as is undertaken on the strategic road network or land in which National Highways has an interest*)". No road works may commence (unless agreed otherwise by NH) until all necessary prior approvals have been obtained, including for example a programme of works to be approved by NH, detailed design information submitted and approved, and a scheme of traffic management submitted and approved. Therefore, given NH has the approving authority through the protective provisions in respect of the

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		document is to be taken to include the amendments approved under this paragraph	SRN or land in which NH has an interest, no further amendments to Requirement 2 are necessary.
	NH_45	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-026)** NH do not accept the Applicant's position on these points as per our original comments. *Copied below:* NH welcomes the limitation of the exercise of certain powers in the DCO without NH's consent where the powers are being exercised over the SRN or land which NH has an interest. The reference to "save in emergency" should, however, be deleted. The New Roads and Street Works Act 1991 deal with emergency works and otherwise NH's consent should be secured at all times. The list of articles is also incomplete and needs to capture the following additional articles for the reasons explained below: ▪ article 14 (access to works): This article provides the applicant with powers to carry out works to form and lay out such means of access or to improve existing means of access at any location within the order limits. Whilst approval is required from the relevant planning authority with consultation of the highway authority for such an access, approval of the highway authority is not required. NH must have control over the operations being carried out on its network and accesses from its high speed network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the applicant should be required to obtain NH's consent in the event an access is required to the SRN.	The Applicant has removed the reference to "save in an emergency" in the updated **Draft DCO [EN0110012/APP/LVS/03.01] [updated alongside this submission]** at Deadline 4. In respect of the powers which must not be exercised without NH consent over any part of the SRN or land in which NH has an interest in, the Applicant has already updated paragraph 64(3) to include articles 17, 20, 24, 27 and 29 in response to NH's comments. While the Applicant maintains the position that including references to article 14 (access to works) and article 30 (rights under streets) is unnecessary in circumstances where there is no interaction with the SRN and otherwise such limited interaction with National Highways' interests in this scheme, the Applicant has updated the **Draft DCO [updated alongside this submission]** to include these articles to advance negotiations between the parties.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		▪ article 17 (discharge of water): This article allows the applicant to use any watercourse, public sewer or drain for the drainage of water in connection with the authorised development. It is noted consent is required from the person to whom the watercourse, drain or sewer belongs however such consent is subject to deemed consent under article 47. ▪ article 20 (authority to survey and investigate land): This article allows the applicant to enter any land within the order limits effected by the authorised development or enter on any land upon which entry is required in order to carry out monitor or survey in respect of the authorised development and , carry out surveys or investigations, trial holes, bore holes, ecological or archaeological investigations and place leave or remove apparatus on land in this regard. Whilst it is noted consent is required from the highway authority at sub paragraph (4) for any trial holes, bore holes and trenches for land located within the highway boundary, consent is not required for the wider use of the powers granted within this article such as access to land for surveys etc. Consent is also not required for any land NH own that is outside of the highway boundary and the applicant is only required to serve notice on the landowner prior to exercising this right. This is also a right that extends beyond the order limits. ▪ article 24 (compulsory acquisition of rights): enables the undertaker to acquire rights or impose restrictive covenants over the Order Land as may be required for any purpose for which the land may be acquired under Article 21 (Compulsory acquisition of land). Paragraph (1) gives the Applicant the ability to take a lesser power of rights over land, rather than full	

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		acquisition. The Article also provides that rights may be created as well as enabling the undertaker to acquire those already in existence. It should be noted that this provision is subject to Article 31 (Temporary use of land for constructing the authorised development) which provides that the undertaker must not acquire, acquire new rights over or impose restrictive covenants over land listed in Schedule 11 to the Order (i.e. Land of which only temporary possession may be taken). NH must have control over powers being exercised over its network or land it controls. This is critical from a safety perspective and to maintain the integrity of its assets. Therefore, the applicant should be required to obtain NH's consent before exercising the powers under this article. ▪ article 27 (power to override easements and other rights): this article permits the Applicant to interfere with any right or interest NH may have within the order limits. As above NH must have control over powers being exercised over its network or land it controls. This is critical from a safety perspective and to maintain the integrity of its assets. Therefore, the applicant should be required to obtain NH's consent before exercising the powers under this article. ▪ article 29 (acquisition of subsoil only): This article permits the undertaker to acquire only the subsoil of land, or rights only in the subsoil of land, which may be compulsorily acquired (pursuant to Article 21 – Compulsory acquisition of land or Article 24 – Compulsory acquisition of rights). As above NH must have control over powers being exercised over its network or land it controls. This is critical from a safety perspective and to maintain the integrity of its assets.	

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		Therefore, the applicant should be required to obtain NH's consent before exercising the powers under this article. ▪ article 30 (rights under streets) This article provides the applicant with the power to enter and use the subsoil over any part of NH's network without NH's consent. NH would not permit uncontrolled works underneath its network which would originally have the protection of a section 50 pursuant to the New Roads and Street Works Act 1991. NH would need to give consideration to the safety implications of such work and its interface with NH's assets. NH would expect to have a consenting role before these powers are exercised over the SRN or land which it owns or controls. This is critical from a safety perspective and to maintain the integrity of NH's assets. Therefore, the applicant should be required to obtain NH's consent in the event that the exercise of the powers affect the SRN or any land National Highways has an interest in. The changes requested are consistent with other solar projects including the Green Hill Solar Farm DCO application.	
	NH_47	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-028)** NH do not accept the Applicant's position on these points as per our original comments. *Copied below:* Where any road or cable works are proposed to the SRN, on, over or under the highway, the requirements of NH's design checking and approval process is required to be discharged. Reference to NH inspecting "with all reasonable despatch" is uncertain. NH will	While the Applicant does not agree with NH's position in principle, the Applicant has updated the **Draft DCO [updated alongside this submission]** in order to advance negotiations between the parties.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		carry out an inspection in line with its statutory duties and obligations under its licence to support third party development.	
	NH_48	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-029)** NH do not accept the Applicant's position on these points as per our original comments. *Copied below:* The number of days referenced in this paragraph should reflect NH's template provisions. The "unless otherwise agreed in writing by National Highways" allows for flexibility and NH must act reasonably in providing that approval.	To advance negotiations between the parties, the Applicant accepts NH's position and has updated the **Draft DCO [updated alongside this submission]** to reflect NH's template provisions.
	NH_50	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-031)** NH do not accept the Applicant's position on these points as per our original comments. *Copied below:* Insurance is required of all contractors working on the SRN and the amount of insurance needs to be in accordance with NH's template protective provisions if NH is to be held harmless for any costs incurred.	While the Applicant does not agree with NH's position in principle, the Applicant has updated the **Draft DCO [updated alongside this submission]** in order to advance negotiations between the parties.
	NH_51	**NH Relevant Representations – REP1-023 (Comment Reference WR-NH-032)** NH do not accept the Applicant's position on this point as per our original comments. NH's position has been accepted on the Gatwick Airport Northern Runway DCO. *Copied below:*	Beyond the amendments the Applicant has already accepted at Deadline 3 to sub-paragraph (1) of paragraph 76, the Applicant does not accept NH's requested amendments to delete sub-paragraphs (2) - (5). The matters in these sub-paragraphs are standard and constructive, requiring NH to act with a reasonableness. They provide the Applicant with

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		NH must be held harmless for the construction, maintenance and operation of the Authorised Development and any resultant impacts and it is common practice for statutory undertakers to be indemnified in such circumstances. It should not be for the public purse to cover instances of loss or damage occasioned by third party works.	an appropriate level of protection. As a matter of commercial principle and good practice, the Applicant has not deleted sub-paragraphs (2) - (5) from paragraph 76.
REP3-043 Hillam Solar Limited	HSL_01	This Representation is submitted on behalf of Hillam Solar Limited of 6th Floor, 2 London Wall Place, London, EC2Y 5AU ("HSL"). HSL wishes to make this Representation in order to protect its position in relation to its interests within the Project's proposed Order Limits. HSL is the developer of the Hillam Solar Farm, a 49.9 MW solar farm at Hillam Grange, Austfield Lane, Hillam, North Yorkshire LS25 5NQ. Hillam Solar Farm was granted planning permission on appeal on 19 December 2025 under Appeal Reference APP/U2750/W/25/3369368 with original North Yorkshire Council planning application reference ZG2023/1271/FULM. Construction of Hillam Solar Farm has not yet commenced. The Book of Reference [REP2-011] identifies that HSL has the benefit of an option agreement over Plots 12-075, 19-005, 19-011 and 19-012 ("the Plots"). Hillam Solar Farm is referred to in paragraphs 3.3.1 to 3.3.19 of the Interrelationships Report [REP2-112]. HSL is also referred to in Version 3 of the Land Rights Negotiations Tracker [REP2-013]. HSL proposes to comment on both documents at Deadline 3 as to content and progress with negotiations. HSL is concerned that the Project will adversely impact Hillam Solar Farm, through the acquisition of rights and installation of the	As set out in the Interrelationships Report [**REP2-112**], the Applicant has sought solutions that minimise impacts and maximise the benefits of both schemes, should they both be taken forwards. The Applicant confirms again that the preferred cable route (CRC3-4) would only be used if the Hillam Solar scheme were not be taken forwards and continues to engage in discussions to agree an Asset Protection Agreement to address HSL's concerns over the suite of rights and restrictive covenants sought.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		Promoter's preferred grid connection route proposed under Work No. 5. Attached to this Representation is an annotated plan of Hillam Solar Farm's approved Site Layout taken from its planning permission, marked to indicate the two separate routes which the Promoter is proposing for the Project's grid connection corridor. The Promoter's preferred route is marked in red and its alternative route is marked in green. The impact of the Promoter's preferred route is that its installation would sterilise a significant section of Hillam Solar Farm's approved layout, which would result in the removal of panels from its approved design and decrease the overall installed capacity of Hillam Solar Farm. The Promoter's alternative route would cause a lesser adverse impact on Hillam Solar Farm's panels and associated apparatus. This alternative route is HSL's preferred route, subject to satisfactory assurance that there will be no impact on Hillam Solar Farm's apparatus. As described in the Interrelationships report, work is underway between HSL and the Promoter to negotiate a commercial agreement to deal with the interface between Hillam Solar Farm and the Project. On 5 August 2026, after the start of the Examination, the Promoter provided HSL with a draft asset protection agreement for its consideration. Progress towards settling this agreement has been slower than anticipated and therefore HSL is seeking to protect its interests in registering this Representation, to object to the acquisition of rights over the Plots above and the potential adverse impact of the Project on the development of Hillam Solar Farm. HSL requests that the Examining Authority exercise its discretion to accept this late Representation and treat HSL as an Interested Party. HSL has notified the Promoter of its intention to make this	

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		Representation. HSL does not consider that acceptance by the Examining Authority of this Representation would prejudice any participant or adversely affect the conduct of the Examination. HSL intends to continue to engage with the Promoter with a view to reaching a satisfactory agreement. If an agreement is signed and completed, HSL intends to notify the Planning Inspectorate and withdraw this holding objection. HSL would primarily intend to make submissions on the topics of: (i) compulsory acquisition in respect of the Plots above; (ii) impact on Hillam Solar Farm; (iii) progress on negotiations towards reaching agreement with the Promoter; and (iv) the Development Consent Order itself.	
REP3-038 Monk Fryston Parish Council	MFPC_01	**Site 2 BESS** The Parish Council was disappointed to learn that the Marine Management Organisation had initially been omitted by Light Valley Solar (LVS) as an Interested Party. MFPC is therefore pleased that the Marine Management Organisation has now been included in the examination process. MFPC considers the Marine Management Organisation to be an important consultee in this application, given the potential environmental implications associated with the proposed development. The Parish Council further notes that the Organisation has been afforded limited time to review and respond to a substantial volume of application and examination documentation. In light of these circumstances, MFPC would be grateful if the Examining Authority could confirm that the Marine Management Organisation has been provided with sufficient time to consider the application, undertake the necessary due diligence, and prepare an informed response.	The Proposed Development falls under Section 35 (Bored Tunnels) of the Marine Licensing (Exempted Activities) Order 2011 which related to bored tunnels. The MMO were initially contacted on 30 April 2026 following the ExA advice and were given 32 days to respond (above the required 28 days). A response was received on 21 May 2026 and a meeting held on 9 July 2026. As per the MMO correspondence of 5 October 2026, they consider it is up to the Applicant to be satisfied that there is no need for a Marine Licence should any of the proposed activities fall outside of the exemptions definitions. From review of the definitions it is considered that the Proposed Development is exempt for the following reasons:

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			- the marine area follows the boundary of the River Ouse. - the development is wholly underneath the marine area due to the commitment to use trenchless techniques (most likely HDD). the cable will remain wholly beneath the river, with no contact at any point with the riverbed. - the entry and exit points are situated approximately 50m outside of the marine area; and - as such, no significant adverse effects are predicted on the marine area. .
REP2-041 Environment Agency	EA_10	**EA10 Foul Waste** We are satisfied with the updates made to Table 3-13 of the outline CEMP [REP2089 and REP2-090] and Table 3-13 of the outline OEMP [REP2-091 and REP2-092]. We are also pleased to see that any references to tanks, pumps, or septic systems have been removed from Table 3-12 of the outline DEMP [REP2-093 and REP2094]. We also welcome the updates made to Sections 5.5.16 to 5.5.18 of the Outline Drainage Strategy [REP2-085 and REP2-086] and Section 5.2.5 of the WER Assessment [REP2-081 and REP2-082] in relation to foul waste. We also welcome the updates made to C127 and C181 within the Commitments Register [REP2-069 and REP2-070] confirming use of sealed non-mains drainage solution. Whilst we recognise that we are named as a consultee for the discharge of Requirement 10 (surface and	The **Outline DEMP [EN0110012/APP/LVS/07.04] [updated alongside this submission]** has been amended to be in line with the **Outline CEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]**, **Outline OEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]** and **Commitments Register [EN0110012/APP/LVS/06.03.01.03] [updated alongside this submission]** as part of the Deadline 4 submission.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		foul water drainage) and Requirement 19 (decommissioning and restoration), and therefore minor amendments can still be addressed post-consent, we recommend the Applicant clarifies the wording in the outline DEMP [REP2-093 and REP2-094] on the topic of foul waste management. We recommend it be amended to be in line with the outline CEMP [REP2-089 and REP2-090], outline OEMP [REP2-091 and REP2-092] and C127 within the Commitments Register REP2-069 and REP2-070] (i.e. sealed cesspool or package treatment plant). During the decommissioning phase, there will be the need for welfare facilities of contractors but that is currently unclear. The outline DEMP [REP2-093 and REP2-094] currently only covers how foul water drainage systems will be managed as they are capped off and removed. For clarity, we consider this issue to be resolved, but would recommend that the Applicant considers these proposed updates for completeness. This issue is resolved.	
	EA_13	**EA13 BESS and Substation Drainage** The current commitments around 'sentinel' type monitoring systems at the BESS outfall are insufficient and we are concerned that there is a risk that spills and leaks during normal BESS operation could go unnoticed. The proposal to consider 'sentinel' monitoring systems for the BESS compound drainage system is not yet as secure in the Outline Drainage Strategy [REP2-085 and REP2-086] or outline OEMP [REP2-091 and REP2-092] as we would expect and there lacks adequate explanation of how substation drainage will be managed.	The applicant has made the following document amendments in response to the EA's comments on sentinel type monitoring: **Outline Drainage Strategy (ODS) [EN0110012/APP/LVS/06.03.15.04] [updated alongside this submission]**: ▪ Updates to Section 5.4 and 5.5 (paragraphs 5.4.24 and 5.5.15) to commit to a risk assessment and options appraisal at detailed design to establish whether additional water quality monitoring at outfalls (including sensor-

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		Additionally, the outline CEMP [REP2-089 and REP2-090] currently does not refer to the consideration of sensor-based systems at the BESS outfall, as indicated in WREA-013 within The Applicant's Response to Submissions Received at Deadline 1 Statutory Bodies [REP2-118].	based systems) is required. Confirm the findings and proposed measures will be included in the detailed drainage strategy. ▪ Update paragraph 5.5.15 to explicitly commit to the proposed substation pollution control measures. **oOEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]**: ▪ Update to reflect the above – any monitoring requirements identified through the risk assessment will be incorporated into the detailed OEMP. **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]**: ▪ Update to reflect the above – any monitoring requirements identified through the risk assessment will be incorporated into the detailed CEMP. **Commitments Register (C131) [EN0110012/APP/LVS/06.03.01.03] [updated alongside this submission]**: ▪ Explicitly reference substations and align with the above commitments. This matter does not need to be included in the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** as this is a matter

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		We note that C131 within the Commitments Register [REP2-069 and REP2-070] mentions a worst-case pollution incident, including a fire involving oil-filled electrical plant (e.g. transformers). However, it does not specifically refer to the substation. We recognise it goes on to state that "where a higher pollution risk is present, such as the BESS, substations, and transformers, the drainage strategy incorporates appropriate containment, treatment and discharge controls, including oil-water separation and dedicated firewater retention systems". However, we request this information is suitably secured (i.e. in the outline CEMP, outline OEMP and the Outline Drainage Strategy). The Applicant should confirm if the decision as to whether additional water quality monitoring, potentially including sensor-based systems, will be informed by risk assessment and options appraisal at the detailed design stage, the results of which will be incorporated into the detailed Drainage Strategy. This issue remains outstanding.	about how the operational drainage will work, whereas the CEMP controls construction phase matters. The **oOEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]** and the **ODS [EN0110012/APP/LVS/06.03.15.04] [updated alongside this submission]** have been updated as part of the Deadline 4 submission to specifically refer to the substation in regard to pollution incidents. The **oPSRP [EN0110012/APP/LVS/07.08]** has been reviewed and this item does not necessitate an update to the oPSRP, which already refers to the substations. The Applicant can confirm that the decision as to whether additional water quality monitoring, potentially including sensor-based systems, will be informed by risk assessment and options appraisal at the detailed design stage, the results of which will be incorporated into the detailed Drainage Strategy. The **ODS [EN0110012/APP/LVS/06.03.15.04] [updated alongside this submission]** and **oOEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]** have been updated as part of the Deadline 4 submission.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
	EA_15	**EA15 Disposal of Firewater** Sections 4.5.10 to 4.5.11 of the outline BSMP [REP2-097 and REP2-098] and Section 5.4.13 of the Outline Drainage Strategy [REP2-085 and REP2-086] confirm that there will be no discharge without testing results and it could be removed via tanker. We are also satisfied with the amendments made to Section 7.4.29 of the WER Assessment [REP2-081 and REP2-082] which now include additional on disposal of firewater. However, we note that Section 5.4.14 of the Outline Drainage Strategy [REP2-085 and REP2-086] states that the requirement for an Environmental Permit would be identified and progressed at detailed design [stage] once final drainage arrangements are confirmed, and prior to commencement of the regulated activity. This appears to relate specifically for discharge of uncontaminated firewater. It is unlikely that an Environmental Permit for the discharge of firewater, pending contamination testing, from the BESS drainage system would be granted pre-emptively prior to operation of the Proposed Development. We therefore advise that this text is amended to reflect the likelihood that application for such a Permit would be sought once firewater requiring management was present. This issue remains outstanding.	The **Outline Drainage Strategy [EN0110012/APP/LVS/06.03.15.04] [updated alongside this submission]** has been updated as part of the Deadline 4 submission to reflect the likelihood that application for a Permit for the discharge of firewater would only be sought once the need for firewater requiring management was present.
	EA_22	**EA22 Commitments Register** We are generally satisfied with the updates made to the Commitments Register [REP2-069 and REP2-070], however, we would request the addition of a similar commitment to C190 but for the decommissioning phase, secured via the outline DEMP. Site checks will be completed periodically by the Site Manager or a suitable delegate, secured by the outline CEMP, during the	The **Commitments Register [EN0110012/APP/LVS/06.03.01.03] [updated alongside this submission]** and **oDEMP [EN0110012/APP/LVS/07.04] [updated alongside this submission]** have been updated to include a commitment to periodic site checks during

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		construction phase. There is no equivalent commitment for the decommissioning phase. There is a risk that unsuitable conditions could go unnoticed and mitigated during the decommissioning phase. This issue remains outstanding.	decommissioning as part of the Deadline 4 submission.
	EA_23	**EA23 Drainage during Decommissioning** We are pleased to see that the potential need for a Water Discharge Activity Permit has been referenced in Table 3-13 of the outline OEMP [REP2-091 and REP2-092], however we can see from the tracked changes made to both the outline CEMP [REP2-089 and REP2-090] and C176 within the Commitments Register [REP2-069 and REP2-070] that the reference to the potential need for a Water Discharge Activity Permit has been added and then deleted. We seek clarification from the Applicant about the reason for this as we anticipate that permits could still be required in construction phase. This seems to be in direct contradiction of what the Applicant has previously said in The Applicant's Response to Relevant Representations Part 1 [PDA-014] where it states that the acquisition of a Water Discharge Activity Permit would be made explicit in the outline CEMP and outline OEMP. This issue remains outstanding.	The text deleted regarding the requirement for a Water Discharge Activity Permit has been reinstated into the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** and **Commitments Register [EN0110012/APP/LVS/06.03.01.03] [updated alongside this submission]** as part of the Deadline 4 submission into the management plans for each phase.
	EA_24	**EA24 Water Quality Monitoring** We note that Table 3-13 of the outline CEMP [REP2-089 and REP2-090] has been updated to specify that a monitoring plan will be developed in consultation with the Environment Agency and will outline the frequency of water quality monitoring prior to and during construction. We also note that Table 3-13 of the outline OEMP [REP2-091 and REP2-092] states that a monitoring plan will be developed which will cover the first few months of	The relevant documents have been updated as per the EA's comments as part of the Deadline 4 submission. The **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** has been updated as part of the Deadline 4 submission to

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		operation. We request that the outline CEMP [REP2089 and REP2-090] is updated to make it clear that there will also be postconstruction monitoring. This is to ensure that contractors understand that these two management plans are linked. If construction is completed in phases a scenario could occur where certain areas finish being constructed access or panelled area is completed with construction, but prior to the whole site starting operation. We would also request that the wording in Table 3-13 of the outline OEMP [REP2091 and REP2-092] is improved so that is clear that there is also the purpose to check it has returned to baseline conditions as measures pre-construction. We would also request that the wording of the outline OEMP [REP2-091 and REP2092], outline DEMP [REP2-093 and REP2-094] and outline PSRP [REP2-099 and REP2-100] are amended to be in line with the outline CEMP [REP2-089 and REP2090] and Commitments Register [REP2-069 and REP2-070] which states that the monitoring plan will be developed in consultation with the Environment Agency. As it stands this is inconsistent across the documents. C30 within the Commitments Register [REP2-069 and REP2-070] should be updated to clearly state that the monitoring plan will include sampling methodology, analytical suites and protocols for identifying and addressing nonconformance. This issue remains outstanding.	make it clear that there will also be postconstruction monitoring. The wording in Table 3-13 of the **oOEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]** has been updated so that is clear that there is also the purpose to check it has returned to baseline conditions. The wording of the **oOEMP [EN0110012/APP/LVS/07.03] [updated alongside this submission]**, **oDEMP [EN0110012/APP/LVS/07.04] [updated alongside this submission]** and **oPSRP [EN0110012/APP/LVS/07.08] [updated alongside this submission]** have been amended to be in line with the **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** and **Commitments Register [EN0110012/APP/LVS/06.03.01.03] [updated alongside this submission]** to state that the monitoring plan will be developed in consultation with the Environment Agency. C30 (now WR.21/WR.22) within the Commitments Register has been updated to clearly state that the monitoring plan will include sampling methodology, analytical suites and protocols for identifying and addressing nonconformance.
	EA_29	**EA29 Retaining Access to Monitoring and Sampling Points**	We note this comment has been resolved by the EA. No further comment from LVS.

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		We are pleased to see the submission of Figure 15.4 Groundwater and Surface Water Designations [REP2-052] which adds an additional hydrometric monitoring point which we had identified. We wish to point out that the key for Figure 15.4 Groundwater and Surface Water Designations [REP2-052] shows a Drinking Water Safeguard Zone (Groundwater) marked as a purple diagonal hatch, but this designation is incorrect. The area marked in purple on the Figure is a Drinking Water Surface Water Safeguard Zone (Elvington & Loftsome Bridge). The Figure also does not show the following designated areas, which lie within the area shown within the viewport: ▪ Derwent from Elvington Beck to River Ouse Drinking Water Surface Water Protected Area ▪ Ouse from River Nidd to Stillingfleet Beck Drinking Water Surface Water Protected Area ▪ Carlton East Drinking Water Groundwater Safeguard Zone ▪ Great Heck and Pollington Drinking Water Groundwater Safeguard Zone As it stands, it provides an inaccurate representation of sensitive surface water and groundwater designations. For clarity, we consider this issue to be resolved, but the Applicant should update the Figure to correct the errors and omissions. This issue is resolved.	**Figure 15.4 [EN0110012/APP/LVS/06.02.15.04] [updated alongside this submission]** has been updated as part of the Deadline 4 submission.
	EA_32	**EA32 Thermal Pollution of Groundwater** As mentioned in The Applicant's Response to Submissions Received at Deadline 1 Statutory Bodies [REP2-118], we are awaiting consultation on a Technical Note. This issue remains outstanding.	The Applicant issued the Technical Note to the EA on 28/10/2026. Following EA comments, this has been updated and is included in Appendix A in this report.

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	EA_34	**EA34 Dewatering and GWDTEs** We are satisfied with the update made to Section 15.8.7 of Chapter 15 – Water Resources and Flood Risk [REP2-043 and REP2-044] which now includes GWDTEs as receptors requiring surface water and groundwater monitoring plans. However, we note that this Section only commits to Hydrogeological Impact Assessment (HIA) for trenchless watercourse crossings only. Trenchless crossings of other features could cause impacts to sensitive controlled waters if risks are not adequately assessed and mitigated. The Applicant should amend the text to commit to HIA for trenchless watercourse crossings, and for other trenchless crossings where works may interact with groundwater in Principal or Secondary aquifers. This should also be captured in the outline CEMP [REP2-089 and REP2-090].	The **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** has been updated as per the EA's comments as part of the Deadline 4 submission.
	EA_39	**EA39 Watching Brief** We are pleased to see that Table 3-3 within the outline CEMP [REP2-089 and REP2-090] has been updated to state that construction personnel will be provided briefings and toolbox talks which will identify visual and olfactory indicators of contamination and the need to implement protocols when these are encountered. However, this detail is missing from Table 3-13 and the requirement for a land contamination toolbox talk, linked to the contamination watching brief and discovery protocol, should be added to ensure that the toolbox talks are not overlooked by the Contractor.	The **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** has been updated as per the EA's comments as part of the Deadline 4 submission.
	EA_56	**EA56 Requirement Wording**	The Applicant's position remains as per its Examination submissions. As such this matter will

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		We maintain our position on this matter. We note that the ExA has posed question Q1.16.36 to North Yorkshire Council on this matter in ExQ1 [PD-008]. This issue remains outstanding.	need to be an 'agree to disagree' matter between the parties.
	EA_58	**EA58 Discharge of Requirements Procedure** No changes have been made to the discharge of Requirements procedure in the Draft DCO [REP2-004 and REP2-005] in respect of this issue. This issue remains outstanding.	The Applicant's has amended the **Draft DCO [updated alongside this submission]** at Deadline 4 to increase the timeframes in Schedule 16 (procedure for discharge of requirements). This includes amendments to paragraph 3(3) where the relevant planning authority must now issue the consultation to a requirement consultee within 10 working days of receipt of the application for discharge. The relevant planning authority must then notify the undertaker in writing of any further information that it or a requirement consultee considers necessary within 10 working days of receipt of the application, and in any case within 20 working days of receipt of the application (unless agreed otherwise). The Applicant notes these timescales align with the recently made Green Hill Solar Garm Order and therefore considers this position appropriate and proportionate.
	EA_59	**EA59 Permitted Preliminary Works – Surface Water Quality** The Applicant has submitted a new document, the PPWEMP [REP2-113] at Deadline 2. We note that within this document it does not state that any Sustainable Drainage Systems (SuDS) will be used to help	The **PPWEMP [EN0110012/APP/LVS/08.12] [updated alongside this submission]** has been updated to have similar detail on monitoring as the oCEMP, but the Applicant notes that this will only be where the PPWs in question would involve

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
		manage any drainage associated with the permitted preliminary works (PPW). We have concerns about any water quality risks that surface runoff could transport to water environment receptors. There is also no mention of welfare facilities, and foul waste, during PPW. The PPWEMP [REP2-113] should be updated so that it considers these issues and ensures consistency across the other management plans. Furthermore, we seek clarification about how the PPW may impact on timelines for establishing the water quality baseline. We understand that the outline CEMP [REP2-089 and REP2-090] already secures a monitoring plan. However, there is a risk that PPW could disturb sediment or bring hazardous substances onsite. Where Section 1.7.2 of the PPWEMP [REP2-113] states that there will be monitoring, we seek understanding of what this entails as the monitoring plan is supposed to be agreed in consultation with the Environment Agency. We also note that some key guidance relevant to the protection of water quality is absent and some controls are not clearly stated within Sections 2.3.1, 2.4.1, 2.6.1 of the PPWEMP [REP2-113]. The document should be updated to cite additional relevant guidance and regulations and commit to additional controls. The following should be referenced: ▪ Oil Storage Regulations for Businesses ▪ Land Contamination Risk Management Until this matter is discussed with us, the Applicant should consider this as a new issue that we consider to be unresolved.	interactions with watercourses. Document references have also been added as requested for Deadline 4. The **oCEMP [EN0110012/APP/LVS/07.02] [updated alongside this submission]** has also been updated to state that the CEMP related monitoring plans would need to take account of what was developed for the PPWs. The Applicant considers that the nature of the PPWs do not create the need for a full drainage system and the PPWMP contains appropriate control measures for drainage within paragraphs 1.7.1 to 1.7.6. For the Bird Mitigation Area works, the **oBMAMP [EN0110012/APP/LVS/07.19] [updated alongside this submission]** is required to be approved before the works in this area can progress. For earthworks/trenching/working areas, runoff, sediment and pollution management are relevant and good practice measures are included in the **PPWEMP [EN0110012/APP/LVS/08.12] [updated alongside this submission]**. The relevant PPWs also state that equipment and spill kits will be available to contain and clean-up any chemical and oil spills. The **PPWEMP [EN0110012/APP/LVS/08.12] [updated alongside this submission]** has been updated as part of the Deadline 4 submission to

Reference (Examination Library ID)	Response reference	Interested Party submission	Applicant response
			include reference to welfare facilities and foul waste management processes.
	EA_60	**EA60 Mechanism for Review and Approval of the Preliminary Works Environmental Management Plan** There is currently no mechanism in the draft DCO [REP2-004 and REP2-005] to secure review and approval of the PPWEMP [REP2-113], and to ensure that PPW do not commence until approval has taken place. If the PPWEMP [REP2-113] is insufficiently protective of environmental effects, these activities could impact controlled waters. The draft DCO [REP2-004 and REP2-005] should be amended to state that PPW may not commence until the PPWEMP has been submitted to and approved by the relevant planning authority in consultation with relevant key statutory stakeholders including the Environment Agency. Until this matter is discussed with us, the Applicant should consider this as a new issue that we consider to be unresolved.	The Applicant considers that there should not be a need for post consent approval of a PPWEMP (and notes that the list of PPWs has been carefully considered so as to not require prior approval) as given the nature of the PPWs, the **PPWEMP [EN0110012/APP/LVS/08.12] [updated alongside this submission]** provides the appropriate controls. The concept of the PPWs is that they would not require detailed approvals before being carried out, unless stated as such in the PPWEMP itself. The Applicant is open to discussing with the EA whether additional controls are required in the PPWEMP itself to give the EA assurance on this matter and has sought the EA's feedback in this regard.

Appendix A: Assessment of Thermal Impact of Buried Cables

Light Valley Solar

Assessment of Thermal Impact of Buried Cables

Document Reference: EN0110012

October 2026

Light Valley Solar

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1 Introduction

1.1 Purpose of Topic Paper

1.1.1 This Topic Paper has been produced during the Light Valley Solar DCO Examination for the Environment Agency to explain the project's position in relation to Thermal Impact of Buried Cables.

1.1.2 The following DCO Application documents are relevant to the content of this Topic Paper:

- Environmental Statement (ES) Volume 1 Chapter 2 – The Proposed Development [**REP2-027**], along with supporting appendices and figures.
- ES Volume 1 Chapter 15 – Water Resources and Flood Risk **[EN0110012/APP/LVS/06.01.15] [updated alongside this submission]**, along with supporting appendices and figures.

1.1.3 In their Relevant Representation **[RR-0419],** the Environment Agency (EA) raised, for the first time, the potential issue of groundwater heat pollution from buried cables. The concern related to the potential for heat generated by the cables to 'pollute' groundwater and the impacts this may have on receptors. Following discussion with the EA on 22 June 2026, it was agreed a desk-based qualitative assessment would be prepared and shared with the EA.

1.1.4 This Topic Paper presents a desk-based assessment of the potential for impacts related to groundwater heat pollution from buried cables.

1.1.5 The workflow and contents of this Topic Paper are as follows:

- **Section 1** sets out the purpose and background of the Topic Paper, summarises the relevant Environment Agency advice and defines the assessment methodology.
- **Section 2** describes the buried cable infrastructure and environmental setting and identifies the receptors relevant to the assessment within each Solar Development Site (SDS) and Cable Route Corridor (CRC).
- **Section 3** presents the qualitative assessment of the identified receptors, taking account of cable location and burial depth, the hydrogeological setting and embedded mitigation.
- **Section 4** summarises the assessment findings, considers whether the Environment Agency exemption conditions are met and identifies whether any further assessment or permitting is required.

1.2 Background

1.2.1 This Topic Paper has been prepared in response to comments provided by the EA in their Relevant Representation (**RR- 0419,** letter dated 30 April 2026) – in relation to pre-examination queries for the Light Valley Solar DCO submission. The letter included a representation from the EA that there should be an

assessment of the risks to groundwater from heat generated by the buried cable (EA Reference: EA32, see extract below).

1.2.2 *Issue: Thermal effects of buried cables have not been considered.*

Impact: Risk of thermal pollution of sensitive groundwater and groundwater-linked receptors during the operational phase, if thermal effects of buried cables are not assessed.

Solution: Assess thermal impacts from buried cables during the operational phase and provide mitigation where necessary.

1.2.3 The methodology presented in Chapter 15: Water Resources and Flood Risk **[EN0110012/APP/LVS/06.01.15] [updated alongside this submission]** and Chapter 6: Biodiversity [**REP2-033**] has been presented throughout the various stages of the DCO process, including Scoping stage and statutory consultation when the Preliminary Environmental Information Report (PEIR) was published. The assessment of heat generated by underground cables was not requested to be scoped into the assessment from the Water Resources and Flood Risk chapter **[REP2-043]**, the Water Environment Regulations (WER) Assessment **[EN0110012/APP/LVS/06.03.15.02] [updated alongside this submission]** or the biodiversity assessment, and has not been raised during the various consultation stages of the DCO.

1.2.4 In line with the subsequent request from the EA, this Topic Paper provides a desk-based qualitative assessment of the likely risks to groundwater related to potential localised groundwater temperature changes around buried cables.

1.3 EA Guidance

1.3.1 Following the 2023 amendments to the Environmental Permitting Regulations 2016 heat is now a groundwater pollutant. The EA are currently developing guidance about heat as a pollutant to groundwater and have indicated that this will draw upon their Chief Scientist's Group published report for ground source heating and cooling systems [Ref 1], which examines the potential for Ground Source Heating and Cooling (GSHC) systems to change the temperature in the ground and identifies receptors that could be impacted.

1.3.2 The EA provided advice via email on 16 June 2026 on the risk assessments for buried electricity cabling, a copy of which is provided in Annex A.

1.3.3 Briefly, the EA requires that developers have considered the thermal implications of developments which emit heat, such as buried electricity cables, via a desk-based assessment, as a minimum. Currently, the main driver for the prevention of heat pollution is to protect surface water ecology, protected sites and ancient woodlands. Heat should also not impact quality or quantity of water in existing groundwater or surface water abstractions.

1.3.4 In the first instance the EA's advice indicates that the developer should ensure that where practicable the proposed cabling:

a) is fully sealed;

b) does not discharge pollutants other than transfers heat to the environment;
c) does not cause pollution of surface water or groundwater (taken to mean waterbodies);
d) is not within a groundwater Source Protection Zone 1 (SPZ1) that's used to supply water for domestic or food production purposes;
e) is not within 50m of a well, spring or borehole used to supply water for domestic or food production purposes;
f) installation does not mobilise any contaminants present in the subsurface to the extent that the pollution of groundwater occurs; and
g) is not adjacent to a septic tank or cesspit, including the infiltration system.

1.3.5 Importantly, the developer does not need to complete any further assessment or apply for a permit if their cabling route meets all the above conditions.

1.4 Assessment Methodology

1.4.1 This Topic Paper applies a staged, desk-based qualitative assessment to determine whether buried cables associated with the Proposed Development could result in thermal effects on groundwater or groundwater-linked receptors. The assessment has been structured to identify the relevant cable infrastructure and environmental receptors, screen these against the EA criteria summarised in Section 1.3 and undertake receptor-specific assessment where further consideration is required.

1.4.2 The assessment focuses specifically on the criteria set out in items (d) and (e) from paragraph 1.3.4, in addition to designated sites with a water dependence, ancient woodland and watercourses with potential to support sensitive aquatic ecology.

1.4.3 Watercourses of low value in terms of WER classification, are those with little or no potential to support freshwater fish, or sensitive macroinvertebrate and/or macrophyte communities. Thus, these watercourses have not been assessed any further here as EA guidance focuses on surface water ecology.

1.4.4 Each SDS and CRC is assessed individually (in Section 3) against these criteria, the data for which has been taken from ES Volume 1 Chapter 15 – Water Resources and Flood Risk **[EN0110012/APP/LVS/06.01.15] [updated alongside this submission]**, Appendix 15.2 **[EN0110012/APP/LVS/06.03.15.02] [updated alongside this submission]**, Chapter 6 - Biodiversity [**REP2-033**] and Appendix 6.5 Fish Habitat Assessment and eDNA Survey (Aquatics Report) [**APP-155**], and summarised in Section 2.

1.4.5 The cables are fully sealed as demonstrated in Appendix 2.1 Cable Route Method Statement of the ES [**APP-147**], which satisfies criteria (a) from paragraph 1.3.4.

1.4.6 Of the remaining criteria listed in paragraph 1.3.4, (b), (c) and (f) are addressed within the wider Environmental Statement through the baseline conditions description (Section 15.7), assessment of construction and operational effects

(Sections 15.9), embedded mitigation measures and project design characteristics (Section 15.8), and therefore are not considered further within this specific thermal impact assessment.

1.4.7 Criteria (g), relating to septic tanks, will be reviewed at detailed design stage where micrositing of buried cables will be considered, and where necessary additional mitigation applied.

2 Project Context and Environmental Setting

2.1 Project Context

2.1.1 A full description of the buried cables associated with the Light Valley Solar DCO Application are provided in ES Volume 1 Chapter 2 – The Proposed Development [**REP2-027**] and ES Volume 3 Appendix 2-1: Cable Route Construction Method Statement [**APP-147**]. The latter, provides details of how the CRC is to be constructed.

2.1.2 The components of the cable routes of interest to this Topic Paper are:

- Interconnecting Cables (33kV/ up to 275kV depending on design), between the Conversion Units and Substations and between the SDSs;
- Grid Connection Cables (275kV), within the CRC, to export electricity from the Battery Energy Storage System (BESS) and SDSs to the Existing National Grid Monk Fryston Substation; and
- On-site underground 33kV cabling, between the solar PV modules and conversion units. These cables could be located anywhere within the SDSs depending on location of equipment in the final design, though they will be routed along access tracks as far as reasonably practicable. Table 3-13 in the oCEMP **[EN0110012/APP/LVS/07.02] [updated alongside this submission]** includes a commitment to a 50 m stand-off for installed equipment being applied to all groundwater and surface water abstractions, both licensed and private water supplies. This will be updated at Deadline 4 to make it clear which equipment this applies to, which will include cabling. The Design Parameters and Commitments document **[EN0110012/APP/LVS/05.06] [updated alongside this submission]** will also be updated at Deadline 4 to include the same commitment for cabling. Cabling will therefore not be located within 50 m of groundwater and surface water abstraction points and has been assessed as such within this report.

2.1.3 Within the SDSs themselves, additional low voltage cabling would supply the CCTV and monitoring equipment. Given the low voltage of these cables, they are considered unlikely to result in thermal effects on water receptors and have therefore been excluded from the assessment.

2.1.4 As set out in the Design Parameters Document **[EN0110012/APP/LVS/05.06] [updated alongside this submission]** open cut trenches with a depth of up to 2 m are the main installation method for the Proposed Development. These will be up to 2 m wide for the Grid Connection Cables and up to 7 m wide for Interconnecting Cables. These dimensions will be subject to design and ground conditions.

2.1.5 Where sensitive receptors dictate, e.g. designated sites, moderate and high value watercourses (comprising Main Rivers, IDB watercourses and/or WER Main River water bodies), some low value watercourses, railways etc., cable

installation will be undertaken using trenchless solutions, such as Horizontal Directional Drilling (HDD). These are identified within the ES as Avoidance Areas. When trenchless solutions are used the cable may be placed at greater depths, as outlined within section 3.1.6.

2.1.6 For most watercourses with a low receptor value, the cable will be laid through an open cut method.

2.1.7 The Crossings Schedule [**PDA-013**] and Figure 2.5: Avoidance Areas [**APP-062**] illustrate the areas where trenchless crossings have been committed to. These are identified below within each sub-division of the Order Limits, together with their receptor value from Appendix 15.2 WER Assessment **[EN0110012/APP/LVS/06.03.15.02] [updated alongside this submission]**, as this reflects the receptor value based on surface water ecology.

2.1.8 The Order Limits cover an area of 1,270 hectares (ha). The SDS are split out across a total of seven separate land parcels (SDS 1-4 and 6-8). The CRC is split out across a total of nine separate cable routes, although this includes two options for the Cable connecting SDS 1 to SDS 4, and also two options for the Cable connecting SDS 3 to SDS 4.

2.1.9 The location of the SDSs and the CRCs are presented in Figure 1 in Annex B.

2.2 Environmental Setting

2.2.1 A brief description of each of SDSs and CTCs is set out below along with identification of the following elements located either within the Order Limits or 50 m of the Order Limits relevant to this assessment:

- Protected sites with a water dependence (SSSI, SAC, NNR, RAMSAR, SINC).
- Ancient woodlands.
- Water crossings under higher value watercourses (very high to moderate) relevant to aquatic ecology.
- Groundwater SPZ1.
- Groundwater abstractions (well, spring or borehole) used to supply water for domestic or food production purposes.

2.2.2 Chapter 6: Biodiversity (ES Volume 1) [**REP2-033**] concludes that there is no ancient woodland within the Order Limits.

SDS 1

2.2.3 SDS 1 is the most northerly site and is located approximately 575 m east of Escrick village, a civil parish, and approximately 9 km south of York. SDS1 is located approximately 20 km north-east of Monk Fryston Substation. The site covers an area of 344.8 ha.

2.2.4 SDS1 will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and Substation, which will be routed along access tracks as far as reasonably

practicable. There is also one Avoidance Area within SDS1 below Whinchat Dyke, though no watercourse crossings are planned at this location.

2.2.5 Within the SDS1 there are the following elements relevant to the current assessment as identified under paragraph 2.2.1:

- A licensed groundwater supply south of SDS 1, but within 50m of the Order Limits.

SDS 2

2.2.6 SDS 2 borders the east-bound carriageway of the A63 approximately 1.4 km east of the junction of Water Lane and the A63 in Monk Fryston. SDS2 covers an area of 83.3 ha.

2.2.7 SDS2 will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and the Substation on SDS2, which will be routed along access tracks as far as reasonably practicable. There are also three Avoidance Areas on the boundary of the site where the CRCs join SDS2. Those with crossings of moderate to high value watercourses are listed below:

- HV_SE5330_001, Habholme Dike (moderate value) at CRC 2-8. Based on the fish habitat assessment report [APP-155], Habholme Dike was considered unlikely to support fish of conservation value.

2.2.8 Within SDS2 there are the following elements relevant to the current assessment as identified under paragraph 2.2.1:

- A licensed groundwater supply next to the eastern edge of SDS 2, but within 50m of the Order Limits.

SDS 3

2.2.9 SDS 3 is located approximately 850 m to the south-east of the junction of Hillam Lane, Lumby Hill and Chapel Street in Hillam. SDS3 is located approximately 3.1 km east of Monk Fryston Substation. SDS3 covers an area of 19.9 ha.

2.2.10 This Site will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and the Substation on SDS 4, which will be routed along access tracks as far as reasonably practicable. There are also two Avoidance Area within SDS3, though none of these include crossings of moderate to high value watercourses.

2.2.11 Within SDS3 there are no other elements relevant to the current assessment as identified under paragraph 2.2.1.

SDS 4

2.2.12 SDS 4 is located approximately 280 m north-east of the junction of Main Street, Roe Lane and Haddlesey Road in Birkin. It is located approximately 4 km east of Monk Fryston Substation. The site covers an area of 283.8 ha.

2.2.13 This SDS will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and the Substation on SDS4, which will be routed along access tracks as far as reasonably practicable. There are also three Avoidance Areas within SDS 4. Those with crossings of moderate to high value watercourses are listed below:

- HV_SE5428_001, at CRC 1-4 under The Fleet, known locally as Maspin Moor Drain, (moderate value). Based on the fish habitat assessment report **[APP-155]**, Maspin Moor Drain was considered unlikely to support fish of conservation value. A physical barrier located downstream at Mearley Drain (NGR SE 54551 26829), is likely to impede fish movements into Maspin Moor Drain.
- Along Maspin Moor Drain (moderate value) on the northern boundary of the SDS 4, though no watercourse crossings are planned.

2.2.14 Within SDS4 there are the following elements relevant to the current assessment as identified under paragraph 2.2.1:

- A licensed groundwater supply in the middle of SDS 4 at the end of Tinkler's Lane, but within 50m of the Order Limits.

SDS 5

2.2.15 SDS 5, as presented at Scoping and at non-statutory consultation, has been removed from the Proposed Development.

SDS 6

2.2.16 SDS 6 is located approximately 500 m north of Monk Fryston and 540 m east of South Milford. The site covers an area of 99.6 ha.

2.2.17 SDS6 will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and the Substation on SDS 2, which will be routed along access tracks as far as reasonably practicable. There are also three Avoidance Areas within this SDS, though none of these include crossings of moderate to high value watercourses.

2.2.18 Within SDS6 there are the following elements relevant to the current assessment as identified under paragraph 2.2.1:

- SPZ1 to the western side of SDS 6 associated with licensed groundwater abstraction (Figure 15.4: Groundwater and Surface Water Designations (ES Volume 2) [**REP2-052**]). Note that this is outside of the development area defined within the Order Limits.
- A licensed Supply next to the western edge of SDS 6, but within 50 m of the Order Limits (associated with the SPZ1 mentioned above).

- An unlicensed supply at Common Lane (opposite Millford Lodge Farm) adjacent to SDS 6, but within 50 m of the Order Limits.

SDS 7

2.2.19 SDS 7 is located approximately 510 m east of South Milford. It is the smallest of the seven solar development sites and covers an area of 8.7 ha.

2.2.20 This SDS will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and the Substation on SDS 2, which will be routed along access tracks as far as reasonably practicable. There is also one Avoidance Area on the boundary of the SDS at CRC 6-7, though this does not include any crossings of moderate to high value watercourses.

2.2.21 Within SDS7 there are no elements relevant to the current assessment as identified under paragraph 2.2.1.

SDS 8

2.2.22 SDS 8 is located approximately 700 m north-west of Hambleton. It covers an area of 60.0 ha.

2.2.23 This SDS will contain both on-site underground cabling from solar PV modules to the Conversion Units and Interconnecting Cables between the Conversion Units and the Substation on SDS 2, which will be routed along access tracks as far as reasonably practicable. There is also one Avoidance Area on the boundary of the SDS at CRC 2-8, though this does not include any crossings of moderate to high value watercourses.

2.2.24 Within SDS8 there are no elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 1-4: from SDS 1 to SDS 4

2.2.25 This corridor is the longest of the CRCs and is approximately 19 km in length. The route crosses the A19, the River Ouse (a Special Area of Conservation river, designated for migrator lamprey species), Selby Dam, National Rail lines, the A63 and other smaller roads.

2.2.26 This CRC contains Interconnecting Cables, along with 19 Avoidance Areas. Those with crossings of moderate to high value watercourses are listed below:

- HV_SE6540_002, Riccall Dam (Gosling Marsh Clough) (high value). Based on the fish habitat assessment report **[APP-155]**, the watercourse was considered unlikely to support fish of conservation value. This was confirmed through eDNA results where only one minor fish species (nine-spined stickleback) was recorded.
- HV_SE6440_001, Hopney Stable Dyke (moderate value). Based on the fish habitat assessment report [**APP-155]**, the watercourse was considered unlikely to support fish of conservation value. This was

confirmed through eDNA results for a site upstream on Dam Dike, where only one minor fish species (nine-spined stickleback) was recorded.

- HV_SE6338_001, Swinbank Dyke (moderate value). Based on the fish habitat assessment report **[APP-155]**, the watercourse was considered unlikely to support fish of conservation value.
- HV_SE6136_007, River Ouse (high value). As described in the fish habitat assessment report **[APP-155]**, the River Ouse is a known corridor for migratory fish of high conservation value, including salmonids, lamprey species, occasional vagrant shad. The River Ouse also supports a resident coarse fish assemblage.
- HV_SE5731_003, Selby Dam (high value). As described in the fish habitat assessment report **[APP-155]**, salmonid and lamprey species are considered likely absent from the site. However, this watercourse is considered to support a resident coarse fish assemblage and European eel.
- HV_SE5428_001, Maspin Moor Drain (moderate value). Based on the fish habitat assessment report **[APP-155]**, Maspin Moor Drain was considered unlikely to support fish of conservation value. A physical barrier located downstream at Mearley Drain (NGR SE 54551 26829), is likely to impede fish movements into Maspin Moor Drain.

2.2.27 Within CRC 1-4 there are the following elements relevant to the current assessment as identified under paragraph 2.2.1:

- Ouse Bank Westfield, Riccall Ings SINC, partially within CRC 1-4.
- Mulberry Farm Ponds SINC, 20 m west of CRC 1-4.
- Small Lakes, Riccall Ings SINC, 35 m east of CRC 1-4.

CRC 1-4a – alternative route from SDS 1 to SDS 4

2.2.28 Alternative CRC from SDS 1 to SDS 4 which crosses over Fox Lane. The route is approximately 1.6 km in length. This CRC is an offshoot from CRC 1-4 and connects into CRC 2-4. The inclusion of the alternative route is explained in Chapter 3: Alternatives (ES Volume 1) [**REP2-029**].

2.2.29 This CRC contains Interconnecting Cables, but no Avoidance Areas.

2.2.30 Within CRC 1-4a there are no elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 2-4 - from SDS 2 to SDS 4

2.2.31 This corridor is approximately 1.4 km in length and crosses over the A63 and Hillam Common Lane.

2.2.32 This CRC contains Interconnecting Cables, along with four Avoidance Areas, though these do not include any crossings of moderate to high value watercourses.

2.2.33 Within CRC 2-4 there are no elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 2-6 - from SDS 2 to SDS 6

2.2.34 This corridor is approximately 1.5 km in length and crosses over Fryston Common Lane.

2.2.35 This CRC contains Interconnecting Cables, along with three Avoidance Areas, though these do not include any crossings of moderate to high value watercourses.

2.2.36 Within the site there are no elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 3-4 and 3-4a – from SDS 3 to SDS 4

2.2.37 The corridor for CRC 3-4 is approximately 437 m in length and runs through a single agricultural field with no water or road/rail crossings.

2.2.38 The corridor for CRC 3-4a is approximately 726 m in length and crosses Stocking Lane. The inclusion of an alternative route is explained in Chapter 3: Alternatives (ES Volume 1) [**REP2-029**].

2.2.39 Both alternatives contain Interconnecting Cables, but only CRC 3-4a contains an Avoidance Areas, though this does not include any crossings of moderate to high value watercourses.

2.2.40 Within CRC 3-4and 3-4a there are no elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 6-7 - from SDS 6 to SDS 7

2.2.41 The corridor is approximately 148 m in length and crosses over National Rail lines and Common Lane.

2.2.42 This CRC contains Interconnecting Cables and is an Avoidance Area along the whole length, though this does not include any crossings of moderate to high value watercourses.

2.2.43 Within CRC 6-7 there are no other elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 2-8 – from SDS 2 to SDS 8

2.2.44 The corridor is approximately 1.4 km in length and crosses over the Leeds to Selby Line (HUL3) railway line and Common Lane.

2.2.45 This CRC contains Interconnecting Cables, along with three Avoidance Areas. Only one of these has an associated crossing of a moderate to high value watercourse:

- HV_SE5330_001, Habholme Dike (moderate value). Based on the fish habitat assessment report **[APP-155]**, Habholme Dike was considered unlikely to support fish of conservation value.

2.2.46 Within CRC 2-8 there are no other elements relevant to the current assessment as identified under paragraph 2.2.1.

CRC 4-POC - from Monk Fryston Substation to SDS 4

2.2.47 The corridor is approximately 4.9 km in length and crosses over the A162, National Rail lines, Hillam Lane, Fairfield Lane and Roe Lane.

2.2.48 This CRC contains the Grid Connection Cables, along with five Avoidance Areas, though these do not include any crossings of moderate to high value watercourses.

2.2.49 Within CRC 4-POC there are no other elements relevant to the current assessment as identified under paragraph 2.2.1.

2.3 Requirement for Thermal Assessment

2.3.1 The table below identifies the subdivisions of the Proposed Development scoped into the thermal impact assessment based on the presence of relevant water receptors.

Table 2-1 Requirement for Thermal Assessment

SDS/ CRC Refence	Thermal Assessment
SDS 1	Scoped in
SDS 2	Scoped in
SDS 3	Scoped out
SDS 4	Scoped in
SDS 6	Scoped in
SDS 7	Scoped out
SDS 8	Scoped out
CRC 1-4	Scoped in
CRC 1-4a	Scoped out
CRC 2-4	Scoped out
CRC 2-6	Scoped out
CRC 3-4 and 3-4a	Scoped out
CRC 6-7	Scoped out
CRC 2-8	Scoped in
CRC 4-POC	Scoped out

3 Assessment of Thermal Impact of Buried Cables

3.1.1 The four types of receptors identified within the SDSs and CRCs scoped in for further assessment are:

- Groundwater abstractions within 50 m of the Order Limits;
- Watercourses of moderate value and above (based on WER classification, which was supported by the resulting of the fish habitat assessment), crossed by the cable route;
- SINCs with a water dependence within 50 m of the Order Limits; and
- SPZ1 within 50 m of the Order Limits.

3.1.2 These are listed under the relevant SDS or CRC below.

Assessment Principles and Embedded Mitigation

Groundwater Abstractions

3.1.3 The criteria for groundwater and surface water abstractions, both licensed and private water supplies requires a 50 m standoff from solar panels and cabling.

3.1.4 Comparison between **the Works Plans [AS-004]** and the location of the groundwater abstractions identified in Section 2 confirms this requirement is satisfied for all SDSs and CRCs when considering the details set out within paragraph 2.1.2 for on-site cabling.

3.1.5 In addition, the geological records for each of the identified abstractions has been reviewed. At all locations the cable burial depths (2m) will be located within the superficial deposits overlying the aquifers from which the abstraction wells are taking water.

Watercourses

3.1.6 This assessment focuses on watercourses with a receptor value of Moderate and above; this includes all watercourse considered to support notable fish species. The embedded mitigation for the Proposed Development includes burying cables at a minimum depth below the bed of these watercourses. The starting point will be that the depth of the cabling will be a minimum of 5 m below the bed. This depth may be reduced depending on the latest research and practice at the time of construction and if agreed by the Environment Agency and Natural England to mitigate against the potential to affect fish behaviours and migration due to the electromagnetic fields (EMF) generated by currents passing through the cables.

3.1.7 In line with advice provided by the EA (Annex A), in the absence of any published guidance on cable burial depths below watercourses to avoid thermal impacts, this assessment draws on design principles from ground source heating and cooling system. For horizontal closed loop GSHC systems a minimum separation between elements (water pipes in trenches) of 5 m is recommended to avoid

thermal interference [Ref 1]. As above, the starting point will be that the depth of the cabling will be a minimum of 5 m below the bed of these watercourses. However, this depth may be reduced depending on the latest research and practice at the time of construction and if agreed by the Environment Agency and Natural England. The final depth will ensure the requirement for no impact on surface water ecology is met.

3.1.8 These principles will be reviewed at detailed design, taking account of further information on cable design and ground conditions and any relevant EA guidance available at that time. If this review identifies potential for significant thermal effects, further assessment will be undertaken and additional mitigation incorporated into the design as necessary. This is secured within the oCEMP **[EN0110012/APP/LVS/07.02] [updated alongside this submission]**.

Protected sites with a water dependence

3.1.9 In the absence of guidance from the EA on distances from protected sites, the assessment draws on the principles outlined above for watercourses where cables are routed underneath the protected site in question using trenchless methods.

3.1.10 Where cables are buried in trenches, the distances between the protected site and potential cable locations have been assessed.

3.1.11 As with watercourse, these principles will be reviewed at detailed design, taking account of further information on cable design and ground conditions and any relevant EA guidance available at that time. If this review identifies potential for significant thermal effects, further assessment will be undertaken and additional mitigation incorporated into the design as necessary.

SDS 1

3.1.12 Identified receptors requiring qualitative assessment are:

- A licensed groundwater supply south of SDS 1, but within 50m of the Order Limits.

3.1.13 The abstraction is located 490 m from the nearest cabling and 700 m from the nearest panel area (i.e. Work No.1 on the Works Plans).

3.1.14 Therefore, the exemption criteria are met for SDS1.

SDS 2

3.1.15 Identified receptors requiring qualitative assessment are:

- A licensed groundwater supply next to the eastern edge of SDS 2, but within 50m of the Order Limits.

3.1.16 The abstraction is located 54 m from the nearest panel area and 4 m from the nearest potential cabling as shown on the Works Plans however as outlined in paragraph 2.1.2 cabling will not be located within 50 m of groundwater and surface water abstraction points.

3.1.17 Therefore, the exemption criteria are met for SDS2.

SDS 4

3.1.18 Identified receptors requiring qualitative assessment are:

- Maspin Moor Drain, (moderate value)
- A licensed groundwater supply in the middle of SDS 4 at the end of Tinkler's Lane, but within 50m of the Order Limits.

3.1.19 The groundwater abstraction is located 56 m from the nearest panel area and 31 m from the nearest potential for cabling as shown on the Works Plans however cabling will not be located within 50 m of groundwater and surface water abstraction points.

3.1.20 The embedded mitigation means that the exemption criteria for abstractions and surface water ecology are met for SDS4.

SDS 6

3.1.21 Identified receptors requiring qualitative assessment are:

- SPZ1 to the western side of SDS 6 associated with licensed groundwater abstraction (Figure 15.4: Groundwater and Surface Water Designations (ES Volume 2) [**REP2-052**]). Note that this is outside of the development area defined within the Order Limits.
- A licensed Supply next to the western edge of SDS 6, but within 50 m of the Order Limits (associated with the SPZ1 mentioned above).
- An unlicensed supply at Common Lane (opposite Millford Lodge Farm) adjacent to SDS 6, but within 50 m of the Order Limits.

3.1.22 The development area within SDS 6 (refer to ES Volume 2 - Figure 2.1: Illustrative Site Layout Plan [**APP-059**]) is outside of SPZ1.

3.1.23 The licensed groundwater abstraction and licensed supply is located 53 m from the nearest panel area and 44m cabling from the nearest potential for cabling as shown on the Works Plans however cabling will not be located within 50 m of groundwater and surface water abstraction points.

3.1.24 The unlicensed abstraction is located 57 m from the nearest panel area and 22m from the nearest potential for cabling as shown on the Works Plans however cabling will not be located within 50 m of groundwater and surface water abstraction points.

3.1.25 Therefore, the exemption criteria are met for SDS6.

CRC 1-4

3.1.26 Identified receptors requiring qualitative assessment are:

- Riccall Dam (Gosling Marsh Clough) (high value)
- Hopney Stable Dyke (moderate value)
- Swinbank Dyke (moderate value)

- River Ouse (high value)
- Selby Dam (high value)
- Maspin Moor Drain (moderate value)
- Ouse Bank Westfield, Riccall Ings SINC, partially within CRC 1-4.
- Mulberry Farm Ponds SINC, 20 m west of CRC 1-4.
- Small Lakes, Riccall Ings SINC, 35 m east of CRC 1-4.

3.1.27 The embedded mitigation referred to above means that the exemption criteria for surface water ecology are met for CRC 1-4.

3.1.28 In terms of the SINCs, these are all located upon alluvium (interbedded clay, silt and peat) associated with the River Ouse. Groundwater contribution to these are therefore likely to be from shallow groundwater flow in continuity with the River Ouse with the predominant flow direction towards the river rather than from the CRC.

3.1.29 In addition, Ouse Bank Westfield, Riccall Ings SINC flanks the River Ouse and is located within the Avoidance Area associated with that watercourse meaning that trenchless solutions along with the cable burial depth commitment outlined in paragraph 3.1.6 have been to committed to at these locations. Likewise, Small Lakes, Riccall Ings SINC is immediately to the east of this avoidance area, and the northern portion of Mulberry Farm Ponds SINC immediately to the west.

3.1.30 Based on the direction of groundwater flow, by which thermal effects could be transported to these protected sites, and the embedded mitigation afforded by the cable burial depth, it is considered that the thermal effects of the buried cable on these sites will be negligible.

CRC 2-8

3.1.31 Identified receptor requiring qualitative assessment is:

- Habholme Dike (moderate value).

3.1.32 The embedded mitigation referred to above means that the exemption criteria for surface water ecology are met for CRC 2-8.

4 Summary

4.1.1 This Topic Paper has considered the potential thermal effects of the Proposed Development's buried Interconnecting Cables, Grid Connection Cables and on-site underground cables on groundwater and groundwater-linked receptors. The assessment has been undertaken in response to advice provided by the EA and comprises a proportionate, desk-based qualitative assessment of the proposed cable routes against the EA's exemption criteria.

4.1.2 The assessment has focused on receptors identified as potentially sensitive to heat inputs, comprising groundwater abstractions within 50 m of the Order Limits, Source Protection Zone 1, watercourses of moderate or higher value crossed by the cable routes, and water-dependent designated sites within 50 m of the Order Limits. The assessment has also taken account of the location and anticipated burial depth of the cables, the geological and hydrogeological setting, and the embedded mitigation incorporated into the design of the Proposed Development.

4.1.3 The Proposed Development incorporates a minimum 50 m stand-off between buried cables and licensed and private groundwater and surface water abstractions. The proposed cable burial depth would also remain within the superficial deposits overlying the aquifers from which the identified groundwater abstractions obtain water.

4.1.4 At crossings of watercourses of moderate or higher value, trenchless installation methods and the cable burial depth of form part of the embedded mitigation. In the absence of specific published guidance for the thermal effects of buried electricity cables beneath watercourses, this separation has been considered with reference to the design principles applied to horizontal closed-loop ground source heating and cooling systems. On this basis, the proposed separation is considered sufficient to limit the potential for heat generated by the cables to affect surface water ecology.

4.1.5 Three water-dependent SINCs have been identified in association with CRC 1-4. These sites are underlain by alluvium associated with the River Ouse, and shallow groundwater flow is considered likely to be predominantly towards the river rather than from the CRC towards the designated sites. The cable crossing beneath the River Ouse and the adjoining Ouse Bank Westfield, Riccall Ings SINC would also be installed using a trenchless method. Taking account of the hydrogeological setting and this embedded mitigation, thermal effects on these designated sites are considered to be negligible.

4.1.6 Overall, the qualitative assessment indicates that the relevant EA exemption conditions would be met for the Proposed Development. Subject to the embedded mitigation and separation distances identified in this Topic Paper being secured and implemented through the detailed design and construction of the cable routes, no significant adverse thermal effects on groundwater, groundwater abstractions, surface water ecology or water-dependent designated sites are anticipated. The findings will be reviewed at detailed design, taking account of further information on cable design and ground conditions and any

relevant EA guidance available at that time. If this review identifies potential for significant thermal effects, further assessment will be undertaken and additional mitigation incorporated into the design as necessary. On this basis, no further thermal risk assessment or application for a groundwater activity permit is currently considered necessary.

References

Ref 1 Environment Agency, 2024, Environmental impacts of temperature changes from ground source heating and cooling systems - GOV.UK

Ref 2 Banks, D. (2012) An Introduction to Thermogeology: Ground Source Heating and Cooling. 2nd edn. Chichester: John Wiley & Sons.

Annex A: EA Advice on Risk Assessments for Buried Electricity Cabling

Risk assessments for buried electricity cabling

Background

Following the 2023 amendments to the Environmental Permitting Regulations 2016 heat is now a groundwater pollutant. Discharge of heat to water should be a material consideration for developments involving emissions of heat e.g., buried electrical cables, particularly NSIPs or large-scale infrastructure developments. To date heat input to ground has been considered lower risk to groundwater, on the understanding it readily disperses in the surface layers and air and in general does not have any widespread adverse impacts on the ground and groundwater. However, in very sensitive locations, we may want to regulate higher risk activities to prevent further increase/ deterioration of the groundwater quality.

The Environment Agency is currently developing guidance about heat as a pollutant to groundwater and to date has published a regulatory position statement, guidance on the exemptions, and a permitting regime for open and closed loop ground source heating and cooling systems (GSHCs).
The guidance will draw upon the Environment Agency's Chief Scientist's Group published report for Ground Source Heating and Cooling (GSHC) systems. This report examines the potential for ground source heating and cooling systems to change the temperature in the ground and identifies receptors that could be impacted.

Permitting implications

Heat is a pollutant, so discharges that might lead to an input of heat into groundwater are groundwater activities. Groundwater activities are defined in section 3.34 pp20 of DEFRA's Environmental permitting: Core guidance.

However, we take a proportionate and pragmatic approach in our application of the principles of the Environmental Permitting Regulations. Requiring a permit would feel disproportionate for many activities at or near the ground surface.

Accountability to comply with extant environmental legislation lies with the developer and the landowner. They should consider the thermal implications of developments which emit heat such as buried electricity cables, and the potential risks to the water environment via a desk-based assessment, as a minimum.

Desk-based risk assessment

Currently, the main driver for the prevention of heat pollution is to protect surface water ecology, protected sites and ancient woodlands. Heat should also not impact quality or quantity of water in existing groundwater or surface water abstractions. In the first instance the developer should ensure that where practicable the proposed cabling:

- is fully sealed
- does not discharge pollutants other than transfers heat to the environment,
- does not cause pollution of surface water or groundwater,

- is not within a groundwater source protection zone 1 (SPZ1) that's used to supply water for domestic or food production purposes,
- is not within 50m of a well, spring or borehole used to supply water for domestic or food production purposes,
- installation does not mobilise any contaminants present in the subsurface to the extent that the pollution of groundwater occurs,
- is not adjacent to a septic tank or cesspit, including the infiltration system,

Desk based assessments at the planning stage should scope in heat from electricity cables. The GSHC exemption criteria and resources referenced in this document could help assess the risk. For example: either by de-risking, if all criteria are met or further assess the risk, where the criteria are not met and mitigate the risk, where required. In other words, sections of the cabling route that meet all of these criteria, and where the developer is satisfied that the cables will not cause harm via discharge of heat and heat pollution, can be scoped out from requiring further risk assessment.

You do not need to complete any further assessments or apply for a permit if your cabling route meets all the exemption conditions.

If cabling sections require further assessment following application of these exemptions, a conceptual site model (drawing) should be produced. We ask for the model to demonstrate the proposed installation depth, anticipated depth to groundwater, and specification of the cable installation, including thermal insulation measures. An understanding of the expected normal and maximum operating temperature of the cables, and the depth of any nearby abstraction boreholes will be useful in determining risk.
In those rare instances where we are concerned that there are risks which require ongoing control or management, you may require a groundwater activity under schedule 22 of the Environmental Permitting Regulations (EPR) 2016.

Annex B: Order Limits

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