NORTH YORKSHIRE COUNCIL

Planning Inspectorate Light Valley Solar Limited
Secretary Of State For Business, Energy And Industrial Strategy

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Our Ref ZG2026/0307/GOV (attn of [redacted])
Your Ref EN0110012 Light Valley Solar
Date 10 November 2026

Dear Sirs

Light Valley Solar
Procedural Deadline 4 Submissions

Submissions for Deadline 4 on behalf on North Yorkshire Council are set out below.

Comments on responses to the ExA's first written questions and any further information received and accepted by the ExA at deadline 3

Question/ Reference	NYC Specialist	Comment
Q1.8.1	Ecology	Whilst NYC notes the Applicant's further explanation regarding success criteria, monitoring and adaptive management, much of the detail continues to be deferred to the detailed BMAMP. Given the BMA forms a key component of the HRA mitigation package, the Council remains of the view that a greater degree of certainty regarding habitat objectives, success criteria, hydrological targets and remedial triggers should be established at the outline stage.
Q1.8.5	Ecology	The Applicant acknowledges an inconsistency between the BMAMP and oLEMP regarding the intended function of the BMA. NYC welcomes the commitment to amend the BMAMP, however until updated documents are provided the Council remains concerned that the relationship between HRA mitigation, breeding bird mitigation, management prescriptions and monitoring requirements is not fully reconciled within the certified documents.
Q1.8.6	Ecology	NYC notes the Applicant's acknowledgement that the requirement for a functional Bird Mitigation Area prior to works commencing during the non-breeding season is not currently expressed clearly within the outline documents. The Council welcomes the proposed amendments and would wish to review the updated documentation to ensure the timing of mitigation delivery is fully secured.
Q1.9.4	Landscape	1.1 NYC refutes that a 25m offset from the A63 would be sufficient to provide physical separation to accommodate mitigation and does not agree to the applicant's proposal that there is flexibility to increase the area of

		mitigation post-consent. The Council does not consider the post-consent proposal to be a sufficient securing mechanism on this matter. 1.2 As reported in NYC's Local Impact Report (paragraphs 8.11-8.13) Draft Local Impact Report, the Council does not consider that the impact of the substation and BESS have been sufficiently assessed, evidenced by a review of the visual baseline and effects assessment tables for Viewpoints (VP) VP10, 11, 12 and 55 in Appendix 10.3 Visual Baseline and Effects. The physical attributes of the substation and BESS are quite different to the solar installation panels and their combined frontage onto the A63 extends to 700m and this is not confirmed in the same Appendix through the narrative for the magnitude of impact nor significance of effect. (see also at paragraph 1.7 NYC's comments below regarding photomontages) *275 kV Substation Layout and Elevation – Solar Development Site 2 (see link below)* EN0110012-000702-06.03.02.02 ES Volume 3 - Appendix 2.2 Indicative Engineering Drawings and Sections (D2).pdf 1.3 The Council requests that the assessment of the substation and BESS require further investigation during the Examination in terms of effects on landscape and views, embedded mitigation and mitigation proposals rather than deferring this matter to the post-consent stage. 1.4 Section 3.8 of the Applicant's Design Approach Document (DAD) [APP-216] explains how the Proposed Development has been designed to deliver positive design outcomes, including sustainable infrastructure which is sensitive to place. Paragraph 3.8.5 of that document explains that the LVIA has informed the iterative design process of the Proposed Development, specifically with regards to siting and layout, minimising visibility and perceived scale and mass within the landscape and providing mitigation measures. 1.5 The Council is not aware that this iterative design process for the siting and layout of the substation and BESS has been presented in any documentation. If available, can the iterative design process be shared for consideration? Alternatively, The Council requests that this iterative design process for the siting and layout of the substation and BESS (within SDS2) is undertaken during the Examination. 1.6 For reference, the proposed BESS compound area is 10.5 ha and enclosed by a 5m high solid acoustic barrier around the perimeter (reference Viewpoint 55 – ES Volume 3, Appendix 10.4: LVIA Photography and photomontages) see link below – the photomontage lacks scalable elements to help the viewer perceive the size of the 5m high acoustic barrier. The Council requests that scalable elements such as a group of humans and a vehicle is included in the photomontage to provide a sense of scale to the viewer. *Additional Photomontages – (Viewpoint VP55: Winter) – see link below* EN0110012-000865-08.36 Additional photomontages – Yr 15 Winter.pdf 1.7 The Council also requests that an additional photomontage is created to show the view of the road user heading in westward direction along the A63, (close to viewpoint 55) at Year 1 and Year 15 of operation. The purpose of the photomontage would be to demonstrate the scale and massing of the substation and BESS frontage onto the road.

Q1.9.4	Landscape	Under Q1.9.4 (b) The Examination Authority has requested: *'an explanation as to whether there is a point at which individually acceptable developments collectively become capable of changing the defining characteristics of the landscape at SDS2'.* 1.1 This could be interpreted as referring to the different elements of infrastructure within SDS2, namely the solar panels, substation and BESS. The Council would argue that solar panels, substation and BESS do collectively change the defining characteristics of the landscape of SDS2. (see above Council comments under (a) and below) 1.2 The Council does not consider that the low value attached to the landscape is sufficient rationale for siting the proposed substation and BESS close to a prominent frontage to the A63. As referred to previously the scale and massing of the substation & BESS (including acoustic screen) are more pronounced when compared with the solar panels so this will involve greater adverse effects and this should be a consideration in their siting. 1.3 We would disagree with the Applicant's Response that states that the openness identified is not an inherent positive quality. Openness in the vicinity of SDS2 permits wider views of the landscape and in this case of views north from the A63, looking towards the extensive areas of woodland, namely Gascoigne Wood and Bishop Wood which provide a backdrop in views, with other elements of treescape near to the boundary of SDS2 in the middle ground providing more sense of depth to the view. 1.4 The applicant states the high capacity of the site to accommodate the development with appropriate mitigation but without an adequate assessment of the substation and BESS compared with the solar panels to substantiate that claim.
Q1.9.12	Landscape	In response to Q1.9.12 (a) the applicant summarises the effect experienced from the PRoW network at year 15 of operation: *'For all PRoWs within the LVIA study area, solar panels would be screened and would not form a defining component of the view by year 15 of operation'.* The Council considers that what is not stated here is that the existing sense of openness would be lost or constrained by the Proposed Development with distant views towards wooded backdrops including Gascoigne Wood, Bishop Wood, Gateforth Wood and Gale Common no longer feasible.
Q1.15.12	Ecology	The Applicant now indicates that existing agricultural drainage systems may be removed in parts of the Bird Mitigation Area in order to achieve ecological objectives. Where habitat functionality relies upon hydrological change, NYC would wish to understand the expected hydrological conditions, habitat outcomes and associated monitoring requirements in greater detail within the relevant management plans.
Additional Ecological Comments	Ecology	**3rd and 5th November 2026 – revised oBMAMP and oLEMP** NYC Ecology received revised versions of the oBMAMP and oLEMP by email shortly ahead of Deadline 4 and has provided comments directly to the Applicant's consultants. In summary, NYC considers that both documents represent a substantial improvement on previous iterations and have addressed many of the Council's earlier concerns regarding the relationship between the Bird Mitigation Area and the wider mitigation strategy, together with the proposed framework for habitat management, monitoring and adaptive management. NYC considers that the key principles are now in place and that the remaining detail relating to habitat establishment, monitoring methodologies,

		success criteria and adaptive management can be developed through the detailed BMAMP and LEMP secured through the DCO Requirements. These comments have not altered the Council's position as set out above in relation to the ExA's Written Questions, as the revised oBMAMP and oLEMP had not been formally submitted to PINS at the time those responses were prepared. Whilst the revised documents assist in addressing a number of the Council's previous concerns regarding the management framework, they do not address the matters raised above in relation to the Change Application. Those matters remain outstanding pending further information on the contribution and effectiveness of the proposed additional ground-nesting bird mitigation areas.
REP3-031	Public Health	North Yorkshire Public Health Team welcome the production of the Health and Wellbeing Summary. It is noted that in the Health and Wellbeing summary the applicant identified that a "significant majority of respondents to the statutory consultation expressed concerns about effects on health and wellbeing". The Public Health team have previously requested that where affects do occur as a result of the development, the community can raise concerns through the Community Liaison Officer and any additional mitigation that may be needed as a result of impact experienced by the community can be considered thought the Community Liaison Group. Additionally, the Public Health team have asked the developer to consider seeking community views as part of their proposed future community engagement activities in relation to any perceived or actual impact as a result the development that may be experienced. The findings from these engagement activities, and any issues identified in this way, could be openly discussed though the Community Liaison Group and could help inform the Applicant, and the industry as a whole, in the design and implementation of the scheme or indeed any subsequent large scale solar development schemes that they may come forward.

Comments on the applicant's proposed changes set out in its change request of 13 October 2026

Archaeology

Change 1 – Alternative Access Route for Access CA2
A significant complex of archaeological cropmarks is record in the fields to the east and north-east of Field House Farm. These include trackways, flanked by ditches on either side, field enclosures and discrete settlement enclosures with internal roundhouses. This is part of the extensive later prehistoric and Roman land use noted elsewhere in the Escrick area and it is expected that similar features will be present within the change areas.

In terms of impact the proposed options for a new access largely follow existing agricultural access tracks and where these end the proposed routes follow existing field boundaries. Upgrading the existing agricultural trackways and their extension may cause harm to below ground heritage assets of archaeological interest. It is expected that any impacts could be mitigated by archaeological recording during construction and that this would be proportionate to the expected significance of the assets and to the scale of the impact caused. This mitigation could be agreed within the Archaeological Mitigation Strategy.

The proposed change is unlikely to cause harm to the setting of the nearby Scheduled Monument of Danes Hill Square Barrow cemetery (National Ref: 1016619) which is at a sufficient intervening distance and is within its own woodland setting.

Change 2: Abnormal Indivisible Loads Access to CA19 via Harry Moor Lane
The field to the east of Harry Moor Lane was subject to geophysical survey in 2023 (NYC Historic Environment Record ENY9769). This did not identify any anomalies of archaeological interest.

This is a very minor variation in an area that has low archaeological potential and it is unlikely to have any archaeological impact.

Change 3: Solar Development Site 6 Reduction
The reduction in the order limit will have no impact to archaeological heritage assets.

Change 4: Visibility Splays for Accesses 1 and 3 of Solar Development Site 4
This is a very minor variation to an existing hard surfaced road and it is not anticipated that there would be any significant impacts to below ground archaeological remains.

Change 5: Extension of 275 kV On-Site Substation Compound
This is a minor change within an area that has been subject to archaeological assessment in the form of geophysical survey and trial trenching to the immediate north and west. The area has moderate archaeological potential as demonstrated in the assessments, particularly for later prehistoric and Roman occupation and landuse. Any proposed archaeological mitigation for this area can be accomodated within the existing Archaeological Mitigation Strategy and CEMP.

Change 6: Cable Route Corridor East of Garman Carr Lane
This change relates to a reduction of the working area within the cable corridor and therefore has no additional impacts on heritage assets of archaeological interest.

Change 7: Solar Development Site 6 Bird Habitat Area
This proposed change of additional managed grassland will have no below ground impact. Trial trenches within this area did not indicate any archaeological interest.

Change 8: National Grid Monk Fryston Substation Accesses
These minor changes to the existing substation accesses are unlikely to have any impact on below ground heritage assets.

Change 9: Abnormal Indivisible Loads Access to Access 3 of Solar Development Site 4
Geophysical survey in the fields to the immediate west and north did not indicate any particular archaeological potential. This minor change is unlikely to have any additional impacts on below ground archaeological remains.

Ecology

<u>Impacts on Ground Nesting Birds</u>
This remains the main outstanding concern of NYC in relation to ecology matters. The applicant has provided very basic information on additional areas of land that could be used for ground nesting bird mitigation in the Change Notification details. These are areas without solar panels in Sites 4 and 6.

Overall, NYC welcomes efforts to address residual impacts on ground nesting birds (specifically skylark) through the provision of further mitigation areas. However, there is insufficient information to provide detailed comments at this stage. It is not clear how these areas of land have been chosen to mitigate for impacts on birds, the carrying capacity of these areas compared to the baseline. What is the size of the land parcels once boundary offsets are considered? Within the BMAMP 50m offsets have been applied to all boundary and internal features. How many territories are capable of being retained in terms of the original use of the sites by birds, and is there any uplift expected taking account of proximity to properties, new hedgerows/scrub, rights of way, infrastructure etc?

There is a need to provide further information confirming what the expected uplift in mitigation will be and confirming the management regime that will be required (assume working towards late cut hay meadow) to achieve this outcome.

Importantly, there is no information setting out how these areas of land have been selected, with each of the sites seeming to provide an alternative use/requirement. In relation to the grassland in Site 4 - what is the impact of the loss of the recreation area from Site 4? What was the original purpose, the location of the recreation area and why is this no longer required? What use was intended within the recreational area? In relation to Site 6 – what led to this area of land being chosen rather than the parcel to the east? Is this the most suitable area to use for bird mitigation or has the emergency landing requirement for the Sherburn Aeroclub resulted in the removal of panels from this area anyway? If these areas are required for different purposes and there is a knock-on benefit for ground nesting birds, can this change be described – does the change result in fewer original territories being lost/displaced or is there a true opportunity for mitigation when management of the land is considered? What is the overall change/loss of territories when these areas are factored in?

Any benefits arising from these additional areas of land will be reliant on management and as such there is a need to ensure that the oLEMP includes very specific management regimes for these areas – ensuring the management takes account of the time lag and difficulty in converting arable land into hay meadow (if that is the intended outcome). If the grassland is managed intensively (which it may need to be in the early years) then the productivity could be less than the existing arable baseline.

NYC would welcome further discussion in relation to bird mitigation areas, particularly once the above information has been provided.

Highways Position Note

A Position Note summarising the Local Highway Authority's current position on the Outline Construction Traffic Management Plan, traffic modelling and Austfield Lane / Common Lane passing places has also been uploaded as part of the Council's submission.

[redacted]

[redacted]

Head Of Development Management

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Our Ref ZG2026/0307/GOV (attn of [redacted])
Your Ref EN0110012 Light Valley Solar
Date 10 November 2026

Dear Sirs

Light Valley Solar
Procedural Deadline 4 Submissions

Submissions for Deadline 4 on behalf on the Lead Local Flood Authority are set out below.

Comments on responses to the ExA's first written questions and any further information received and accepted by the ExA at deadline 3

Question No.	LLFA response to the Applicant comments
Q1.15.9	We have no additional comments to make regarding the applicant's response. The applicant has responded with key details to answer the question provided and the LLFA agree the applicant's response is suitable and sound.
Q1.15.10	The LLFA have no comments to make on the applicant's response as we agree with their response.
Q1.15.11	The LLFA find the applicants response to be a reasonable approach. We have no comments to add.

[redacted]
Head Of Development Management

North Yorkshire Council – Local Highway Authority (LHA) Position note 5.11.26

This note summarises the current position on the following topics:

- The Outline Construction Traffic Management Plan (oCTMP) – Version 2 dated September and October 2026.
- Traffic modelling of the A63 / A162 roundabout.
- Austfield Lane / Common Lane passing places.

1. oCTMP

The following comments have previously been raised in respect to the oCTMP, which have not been adequately addressed in the updated documentation:

- There is no reference non-motorised users (pedestrians, cyclists, and equestrians) and no commitment to ensure that risks to them are mitigated.
- There is no commitment to adopt the Considerate Constructors Scheme (or similar) within the final CTMP.
- There is no commitment to adopt a vehicle booking / scheduling system within the final CTMP.
- There is no commitment to adopt vehicle holding / stacking areas (if required) within the final CTMP.

Following the issue of the above comments, the oCTMP has been updated twice (in September and October 2026). The oCTMP now includes a commitment to implement a Community Liaison Officer (or alternative) and construction working group. This commitment is welcomed and it is acknowledged by the LHA that third parties cannot be obliged to engage with these.

The LHA is particularly concerned with the protection of non-motorised users. The LHA's position is that in relation to non-motorised users the following haven't been adequately considered or their consideration evidenced in relation to the risk of interaction with construction vehicles:

- The current pedestrian or cyclist usage of the various construction routes.
- Sections along construction routes where footways are absent.
- Sections along construction routes where carriageway widths less than 5.5m,
- The presence of a useable verge for non-motorised users.
- Swept paths at bends over footways.
- Parked car prevalence causing pedestrians to walk in the road.
- PRoW crossing and emergence points onto the highway.
- Forward visibility for pedestrians.

- Key routes between housing and schools/ shops/ churches & church halls, community facilities, sports and leisure facilities.

The LHA's position is that the oCTMP should identify specific issues and commit to resolve them with identified mitigation (or with a range of potential measures that could be investigated at the appropriate stage). The LHA is concerned that if these commitments are not made at this stage, that they will not be considered or implemented at the construction phase.

2. A63 / A162 Roundabout

The LHA has a longstanding concern about the performance of the A63 / A162 roundabout (known locally as Monk Fryston Roundabout) and a scheme of mitigation is planned in the future to increase its capacity. Following a modelling exercise by APS, which considered a future year of 2029, it is expected that even with the mitigation scheme, the A63 west arm is expected to operate significantly over capacity with substantial delay and queueing during the AM (08:00 to 09:00) and PM (17:00 to 18:00) peak hours. During the interpeak period (09:00 to 16:00) all the arms of the roundabout are expected to have some degree of available capacity.

As a result, the LHA requests that construction traffic associated with LVS avoids the roundabout during the AM and PM peak hours.

3. Austfield Lane / Common Lane Passing Places

The commitment to provide passing places along Austfield Lane is welcomed. The update of Arup Drawing EN0110012/APP/LVS/06.03.14.B.T003_1 to illustrate the correct route is noted. Alternatively, the LHA would like the applicant to consider implementing a one-way system to remove the need for vehicles to pass each other.

The commitment to also provide passing places along Common Lane is welcomed.

The LHA would expect to have sight of preliminary design drawings at this stage that demonstrate that the use of passing places is feasible. The following should be considered:

- The number of passing places that would be feasible.
- If they can be accommodated within existing highway extents or if additional land will be required.
- If appropriate intervisibility can be achieved.

It is acknowledged that the detailed design can be agreed at a later stage.