Light Valley Solar (EN0110012) — Deadline 4 Submission of Mrs Annette Exley

Interested Party reference [redacted] · Deadline 4, Tuesday 10 November 2026

Earlier submissions by this interested party: REP1-032, REP3-054, EN0110012-000889, EN0110012-000963.

Summary

This submission comments on the Applicant's change request of 13 October 2026 [CR1-002 to CR1-048] and on its responses to the first written questions [REP3-019]. It is organised by concern. Each section states the concern, the evidence, why it matters, and what I ask the Examining Authority to do. The questions I propose for the second written questions are set out at the end of each section and indexed in section 7.

I raise nineteen points. They fall under five headings.

Flood risk and site selection (section 2). (1) Change 5 enlarges the Site 1 substation compound from 1.0 to 1.2 ha without showing that the enlarged area stays within Flood Zones 1 and 2 and outside the design flood envelope, as the certified commitment requires — question 2. (2) The Applicant's answer to Q1.2.2 makes the substations' heights "dependent on estimated flood depth", and the Site 4 substation has a flood-related floor level of +0.386 m, which the certified commitment does not explain — question 3. (3) The panels' claimed flood tolerance of 1.0 m rests on a reference the Applicant never filled in, while its own modelled depth at Site 1 is 1.25 m, and the plan the Examining Authority asked for was not supplied — question 9. (4) The Statement of Reasons shows the sites were chosen from land that willing owners offered, by a screen that excluded Flood Zones 2 and 3 — which Site 1 contains — question 12.

Grid connection and timing (section 3). (5) The application describes a spare 275 kV bay and 4.9 km of cable; the public registers show a 400 kV entry, no Gate 2 agreement recorded, and twenty-two transmission works schemes on which the connection appears to depend, none mentioned in the application — questions 4, 5 and 6. (6) The Order would allow 900 hectares to be taken and construction begun for five years whether or not a firm connection exists — question 7.

Freehold, transfer and funding (section 4) — 71% of the Order land sought freehold. (7) Freehold powers are sought over about 900 of the 1,270 hectares in the Order limits — roughly **71%** of all the land the Order covers (indicatively 70.9%) — although every solar-site landowner has already agreed a lease. (8) Article 37 lets that land, with the substations and grid connection on it, pass to any licensed generator without the

Secretary of State's consent, at a time when the Government is telling the public to prepare for attacks on energy infrastructure. (9) Funding for £925–975 million of works and compensation is not evidenced beyond an intention to approach funders after consent — question 8 covers all three.

Battery storage and fire safety (section 5). (10) The Applicant will not cap the stored energy at the 2,000 MWh it assessed; enclosures are 2.5 m apart; the design is to be settled by fire testing after consent; and the fire and rescue service's agreement is not on the record — question 10.

Consultation and outstanding information (section 6). (11) The Applicant told the Examining Authority in writing that its timetable gave "less than allowed for by the CA Regulations" and told the procedure meeting it was "not seeking to reduce any statutory periods" — question 1(a). (12) Its count of persons affected by the changes has been 103, 74 and 95 in nineteen days — question 1(b). (13) The Book of Reference was re-issued whole, with no tracked schedule linking plots to changes — question 1(c). (14) The marine licence for the River Ouse crossing has been addressed by neither the Applicant nor the Marine Management Organisation — question 11. (15) The Canal & River Trust protective provisions are not filed — question 1(d). (16) The cumulative assessment treats a scheme allowed in December 2025 as refused and assesses a 3,500-home development without data — question 13. (17) Thirteen document errors need correcting — Appendix B. (18) Seven documents the examination still lacks are listed at 6.7 for production before Deadline 5. (19) Five matters from my Deadline 3 submission — functional floodplain, Figures 15.27/15.28, the model report, the Monk Fryston land and section 127, and the pattern of disclosure — remain unanswered (6.8).

What I ask, in short: that the Examining Authority require the Applicant to plot the enlarged substation against the flood extents and state which flood commitments each substation meets; put the grid questions to NESO and National Grid as well as the Applicant and consider a requirement that no land for the battery storage be taken until a dated connection agreement exists; test why freehold is needed where leases are agreed and what survives a transfer; consider making 2,000 MWh a maximum parameter and ask the fire service what it has agreed; and require a reconciliation of the affected-person counts and an answer on the marine licence. The full requests are at section 7.

Nothing in this submission is legal advice. Where I quote the Applicant I give the document and paragraph so the words can be checked.

1. Procedural matters

1.1 The period allowed. The Examining Authority found that the Applicant's proposed timetable did not provide "a fair and sensible approach" for those affected by the changes. The change request documents were published on 14 October 2026; the

decision that they would be examined, and the deadline for comment, came on 27 October, fourteen days before Deadline 4. The Applicant chose not to consult on the changes before submitting them. I have therefore concentrated on the principal documents — the Change Application and Consultation Report [08.42], the Supporting Environmental Information Report [08.43], the tracked draft Order [03.01], the Statement of Reasons [04.01] and the Applicant's letter of 8 October 2026 [AS-043] — and I reserve the right to comment on the remaining documents, and on the revised documents the Applicant files at Deadline 4, at Deadline 5 as the timetable provides.

1.2 Request to be heard. My request at Part C of [REP3-054] was made for the reserved hearing week of 2 November 2026, which is no longer being used. I request to be heard at any hearing held in the week commencing 11 January 2027, virtually, on the matters in sections 2, 3 and 4 below and those listed at [REP3-054] Part C. Annex A sets Deadline 5 for requests to be heard at any further hearing, and I will repeat this request then.

2. Flood risk and site selection

2.1 The enlarged substation compound (Change 5)

My concern. The compound for the 275 kV substation in Solar Development Site 1 is being enlarged, and the explanation submitted does not show whether the whole of the enlarged area stays outside the flood extents the Applicant has committed to avoid.

The evidence. The Flood Risk Assessment [REP2-079] Annex A assessed the compound at "up to 1.0 ha" (A.2.1), "in the northern parcel of Solar Development Site 1, avoiding Flood Zone 2 and Flood Zone 3 to the south" (A.2.4). Change 5 adds about 0.2 ha to the limits of deviation within which it may be sited — "1ha > 1.2ha" in the Applicant's words [08.43] Table 3-1. The certified Design Parameters and Commitments [REP2-021] Table 2-3 commit the substations to be "within Flood Zone 1 and 2 only, thereby avoiding Flood Zone 3" and "outside the flood envelope associated with the 1 in 100-year plus climate change design flood event". The Supporting Environmental Information Report assesses Change 5 for flood risk in two paragraphs about surface-water drainage. Neither says where the extra land lies in relation to the flood zones or the design flood envelope. The Applicant volunteers that Change 5 "is not needed to ensure that its various environmental drainage and safety commitments at the substation can be met" (para 2.3.1); the reason given is "learnings" from a scheme its parent company is building elsewhere.

Why it matters. Site 1 is the one site where the Applicant's own figures show design-event flooding at the conversion units (+0.5 m, FRA Table 8-1) and 17.5 ha of panels within the credible maximum flood extent. That does not show the enlarged compound is affected; it shows why the question must be answered rather than assumed. And a reason that arose after submission is the kind [PD-010] said should come with an explanation of why it was not identified before.

Request. That the Applicant plot on Figure 15.27 Sheet 1 both the assessed maximum compound footprint and the enlarged limits of deviation, and confirm whether the whole of each lies within Flood Zones 1 and 2 and outside the design flood envelope; and, if Change 5 is not needed for the drainage and safety commitments, state what it is needed for. *(Proposed ExQ2 question 2.)*

2.2 The substations and the certified commitment

My concern. The Applicant's answer to Q1.2.2 describes the on-site substations as assets "whose total height above ground level is dependent on estimated flood depth". The certified commitment is that they are outside the design flood envelope. An asset outside that envelope would not ordinarily need a flood-related height. The examination has not been told which flood scenario explains the levels shown, or whether each substation meets each part of the commitment.

The evidence. FRA Table 8-1 gives the Site 4 substation a design-event flood depth of zero, so the design-event part of the commitment appears to be met. But the FRA calls it "the affected 275 kV substation" with "a minor portion encroaching into the area of potential inundation" (paras 6.2.12–13), and Figure 15.27 Sheet 4 gives it a finished floor level of +0.386 m. A raised floor may reflect freeboard, the credible maximum scenario or another flood source; the documents do not say. The Applicant also says that if the 4.5 m height envelope for conversion units is "at risk of being exceeded" they "would be re-located to avoid deeper areas of flooding" — so the layout the flood assessment rests on is not fixed. The commitment at Q1.2.2 to add to the Design Parameters at Deadline 4 that total height inclusive of plinth, floor level and freeboard will not exceed the maximum parameter is welcome; I will comment on the wording at Deadline 5.

Request. That the Applicant state, for each on-site substation, whether it lies within Flood Zones 1 and 2 only and whether it lies outside the design flood envelope, with the evidence for each; and which scenario and datum explain the +0.386 m level at Site 4 and how that reconciles with the commitment. *(Proposed question 3.)* See [REP3-054] B.3.

2.3 Solar panels and flood depth (Q1.15.2)

My concern. The Applicant says its panels "can tolerate flood depths of up to 1.0 m", cites "(FRA paragraph ref)" for it — a placeholder never filled in — and in the same answer gives a maximum modelled depth at Site 1 of "approximately 1.25 m". It declined to provide the plan the Examining Authority asked for.

The evidence. [REP3-019] Q1.15.2(a), (b) and (e). The 1.0 m figure is the one on which the new Design Parameters commitment at Annex B of the 27 October decision now rests. The Applicant does not define what "tolerate" means — depth above ground, immersion of the panel, or tolerance of particular components. The area within the credible maximum extent at Site 1 is 17.5 ha, about 5 per cent of the site. The Applicant also concedes that Annex F of its Deadline 2 cover letter "did not make sufficiently clear" the

role of the credible maximum scenario; the position now stated — design level plus 300 mm or credible maximum, whichever is higher — should be carried into the Design Parameters in those terms rather than as an "indicative" level to be "confirmed at detailed design".

Request. That the Applicant define the 1.0 m tolerance, identify the paragraph of the FRA or other evidence that supports it, and provide the plan requested at Q1.15.2(c) and (e) showing where modelled depth exceeds 1.0 m and what is proposed for panels there. *(Proposed question 9.)*

2.4 How the sites were chosen

My concern. The Statement of Reasons describes a site-selection process that would have excluded part of Site 1, and does not say whether that process came before or after the Applicant found willing landowners.

The evidence. The re-issued Statement of Reasons [04.01] says: "there needs to be an available grid connection, and, if possible, a landowner agreeable to their land being used" (7.7.1); that once the point of connection was fixed, GIS mapping within 25 km of Monk Fryston was used "to identify land unconstrained by flood risk (zones 2 and 3)", designations, best and most versatile land, Green Belt and sensitive receptors (7.7.3–7.7.4); and that the sites "were chosen following assessment work and discussion with landowners regarding areas of their land holdings that they were prepared to allow solar development on" (7.9.1). It concludes "there are no more suitable and available alternative locations" (7.7.5). Site 1 contains Flood Zone 2 and 3 land (FRA Annex A, A.2.4) and the cable corridor crosses functional floodplain [08.22].

Why it matters. If the land was defined by what landowners offered and the constraints assessed afterwards, "no more suitable and available alternative locations" means only that no other landowner within 25 km came forward. That bears on the compulsory acquisition case, since paragraph 8 of the CA Guidance requires alternatives to have been explored, and on the flood-risk sequential test, which rests on the same screen.

Request. That the Applicant state whether the flood-zone and constraints screen was applied before or after the discussions with landowners; how many candidate areas within 25 km passed the screen and why those not taken forward were rejected; and how Site 1 passed a screen that excluded Flood Zones 2 and 3. *(Proposed question 12.)*

3. Grid connection and timing

3.1 My concern

The examination is being asked to authorise compulsory acquisition of about 900 hectares and permanent powers over 1,270 hectares on the strength of a grid connection whose status, date and physical form are not clear from the application. The Applicant has

not shown that the connection is a firm offer, has not said what the connection date is after the national reform of the queue, and has not placed on the examination record the transmission works on which its connection depends.

3.2 What the application says

The Grid Connection Statement [APP-215] records a connection agreement with National Grid signed in December 2021 and says that the Project "is expected to receive Gate 2 Phase 1 prioritisation in December 2025 (i.e. in 2030 or earlier)". For the battery it records a Gate 1 position with no date. It explains that "a Gate 2 offer is a firm offer … by a specified date", which a Gate 1 position is not. The Statement was not revised with the Change Application and is not on the list of revised documents at [08.42] Table 7-2. The Grid Connection Study [APP-222] para 4.2.1, relied on at Q1.16.1, describes a connection into a spare 275 kV bay at Monk Fryston. The Applicant's answer to Q1.17.7 is that it is "premature to approach financial institutions" for funding.

3.3 What the public registers show

I have examined the public registers published by the National Energy System Operator (NESO), with assistance from another interested party. They are summarised, with the full list of works, in Appendix A. In short:

- The Transmission Entry Capacity register (version of 27 October 2026) lists the Project (PRO-001646) at Monk Fryston 400 kV, 500 MW, connection date 31 December 2029, with the "Gate" column blank. The entry is unchanged since before the reform outcome the Applicant anticipated.
- An archived copy of the register shows the entry labelled Monk Fryston 275 kV until September 2026, when the label changed to 400 kV.
- The Transmission Works Register of 16 October 2026 lists 22 schemes at or associated with Monk Fryston (CS-04555 to CS-04576), including a new user bay at the "Monk Fryston 275kV AIS Double Busbar Substation", replacement of the 400/275 kV interbus transformer SGT1, the Osbaldwick–Poppleton 400 kV double circuit (NOA option OPN2), works at Ferrybridge C and High Marnham, and several reconductoring schemes.
- NESO's anonymised reform results (June 2025) list a "Monk Fryston" scheme of 650 MW solar with 500 MW battery, connection date 31 December 2030, at Monk Fryston 275 kV, which appears to correspond to the Project. That date is a year later than the TEC register.
- The Yorkshire GREEN project includes a new 400/275 kV substation at Monk Fryston, due to operate in 2027 and complete in 2028. The Applicant's own plot 21-031 is noted as land that "may be in conflict" with National Grid works.

None of these documents is in the application. I do not assert what they mean; I ask that the Applicant explain them.

3.4 Why it matters

The case for compulsory acquisition rests on the land being needed and the scheme being deliverable (CA Guidance paras 8, 11 and 13). The connection is the first thing the Applicant says it looked for when choosing the sites (section 2.4), and the Applicant will not be able to say when it can fund the scheme until it knows when it can connect. The Project's connection date in the registers is 2029 or 2030; the Order's five-year "applicable period" (article 22 and Requirement 1) would run from the making of the Order. If connection depends on works by others that are not yet programmed, the land could be acquired and held for years before the scheme is built, or not built at all. The Examining Authority cannot test that risk on the present record.

There is also a physical question. A connection into a 275 kV bay (the Study), a register entry at 400 kV, a new user bay at the 275 kV substation and a replacement 400/275 kV transformer are not obviously the same scheme. If the point or voltage of connection has changed since the application was accepted, the substation design assessed in the Environmental Statement, and the compound now being enlarged by Change 5, may not be the design that will be built.

3.5 Request to the Examining Authority

I ask that the following be put to the Applicant at ExQ2, and that the Applicant be required to provide an updated Grid Connection Statement before the close of the examination:

(a) Connection status. What is the current status of the Project's connection agreement under the reformed connections process: has a Gate 2 offer been received for the solar scheme and for the battery; on what date; and what is the contracted connection date for each? If no Gate 2 offer has been received, what is the Applicant's expectation and basis for it? *(Proposed question 4.)*

(b) Physical design. Does the Project connect at 275 kV or 400 kV at Monk Fryston; has the point or voltage of connection changed since the application was accepted; and if so, which application documents (the Grid Connection Study, ES chapters, Design Parameters and the Change 5 substation compound) are affected? *(Proposed question 5.)*

(c) Dependencies. Which of the transmission works listed in Appendix A, and which elements of Yorkshire GREEN, must be completed before the Project can connect; what are their programmed dates; and what is the consequence for the Project if they are delayed? *(Proposed question 6.)*

(d) Land powers. Given the connection date, I ask the Examining Authority to consider whether the Order should provide that compulsory acquisition powers for the solar sites may not be exercised until the Applicant has notified the Secretary of State that it holds a firm (Gate 2) connection offer with a connection date within the applicable period, or whether the applicable period should be shortened. *(Proposed question 7.)*

4. Freehold acquisition, transfer and funding

4.1 My concern

The Applicant seeks power to acquire the freehold of the solar sites outright — about 900 of the 1,270 hectares in the Order limits, roughly 71% of the land the Order covers — when the scheme could be built and operated on leases; the Order allows the undertaking and the land to be transferred without the Secretary of State's consent; and the funding on which acquisition would depend has not been shown.

4.2 The scale of the freehold sought

The Statement of Reasons [04.01] puts the Order limits at 1,270 ha and the solar development sites at 900.2 ha. The land shown pink on the Land Plans, over which article 21 freehold acquisition is sought, corresponds to the solar sites (Works Nos 1, 2, 3, 6, 8, 9 and 10). On those figures about 70.9 per cent of the Order land is sought freehold. I give that figure as indicative; it is for the Applicant to state the exact area, which the Statement of Reasons does not.

4.3 Why ownership rather than rights

The Applicant's answer to Q1.17.1(c) [REP3-019] is that options for leases are in place for all freehold plots. If the Applicant can build and operate the scheme under leases it has already negotiated, the examination has not been told why freehold acquisition of 900 ha is also necessary. Paragraph 11 of the CA Guidance requires the Applicant to show that the land is needed and that there is no less intrusive way of achieving the purpose. Permanent rights or a lease-length interest would secure the scheme for its operational life, with the land reverting on decommissioning. Freehold does not revert.

4.4 Transfer of the undertaking

Articles 36 and 37 of the draft Order allow the benefit of the Order, including acquired land, to be transferred. Under article 37(3)(a) no consent of the Secretary of State is needed where the transferee holds a licence under section 6 of the Electricity Act 1989. The undertaking is held by Island Green Power Ltd, a Bermuda company, wholly owned by Macquarie-managed funds since May 2025 (Funding Statement [APP-036]). I make no point about nationality. My point is that 900 hectares of land taken compulsorily from

private owners, with the substations on it and the connection to the transmission system, could pass through successive owners over the sixty-year life of the scheme with no public check at any change.

That matters more now than it did when the application was made. The Strategic Defence Review 2025 found that "in many cases, CNI operators do not have the ability to protect the infrastructure they own" and recommended additional capabilities for the protection of critical national infrastructure, which includes the electricity network (House of Commons Library briefing CBP-11183, 2 September 2026). On 22 October 2026 the Government launched its "Be Ready" campaign, asking households to hold three days' supplies against disruption, with the Health Secretary naming "hostile state actors or terrorists" among the causes. The Government is telling the public to expect attacks on the grid. A substation feeding 500 MW into the transmission system at Monk Fryston is part of that grid, and whoever owns the land around it controls access to it. The Order as drafted would let that control change hands without anyone in government being asked.

I propose that article 37 be amended so that any transfer of land acquired compulsorily under article 21, or of the on-site substations, requires the Secretary of State's consent whether or not the transferee holds a licence; and that the restoration and decommissioning obligations (Requirement on decommissioning) are expressed to bind successors in title to the acquired land.

4.5 Funding

The Funding Statement [APP-036] puts the cost at £925–975 million and relies on the resources of the Macquarie funds. At Q1.17.7 the Applicant says it is "premature to approach financial institutions". Paragraph 13 of the CA Guidance requires the Examining Authority to be satisfied that funding is likely to be available within the statutory period. A statement that funding will be sought in due course does not meet that test, particularly where the connection date (section 3) is itself uncertain. The usual safeguard is a guarantee or security requirement before compulsory acquisition powers are exercised; the draft Order contains none.

4.6 Request to the Examining Authority

That the Applicant be asked: *(Proposed question 8.)*

(a) to state the exact area over which freehold acquisition is sought and the percentage of the Order land it represents;

(b) why, given the option agreements for leases confirmed at Q1.17.1(c), freehold acquisition rather than permanent rights or a leasehold interest is necessary for each of Works Nos 1, 2, 3, 6, 8, 9 and 10;

(c) whether it would accept an amendment to article 37 requiring the Secretary of State's consent to any transfer of compulsorily acquired land or the on-site substations, and an express provision binding successors to the decommissioning and restoration obligations;

(d) what evidence of funding, and what guarantee or security provision, it proposes before compulsory acquisition powers may be exercised, and when it expects to be in a position to approach funders.

5. Battery storage and fire safety

5.1 What the Applicant says. At Q1.16.2 [REP3-019] the Applicant states that a capacity of 2,000 MWh was assessed in the Environmental Statement but is "not a reasonable control parameter" for the Order; that units are up to 5 MWh each with 2.5 m separation; that the design will follow a large-scale fire test after consent; and that any departure from National Fire Chiefs Council guidance will be "agreed with relevant safety authorities". The outline Battery Safety Management Plan is cited as [REP2-097] in one place and [REP2-098] in another. At Q1.15.14 no quantity of firewater for the substations is given.

5.2 Where it is shown inadequate. The Environmental Statement assessed 2,000 MWh; the Order as drafted would permit any capacity within the parameters. An assessment of one capacity does not support consent for an unlimited one. The 2.5 m separation is the figure the NFCC guidance treats as a minimum to be justified by testing, and the testing is to happen after consent. Who the "relevant safety authorities" are, and whether the North Yorkshire Fire and Rescue Service has agreed the approach, is not stated; the Service's position is not on the examination record. Requirement 5 secures a Battery Safety Management Plan but does not fix capacity, separation, firewater volume or the consultees whose agreement is needed.

5.3 Request to the Examining Authority. That the Applicant be asked to state the maximum battery storage capacity it will accept as a Design Parameter; to identify the "relevant safety authorities" and confirm whether the Fire and Rescue Service has agreed the proposed departures from NFCC guidance; to state the firewater volume and containment for the battery and substation compounds; to correct the citation of the outline BSMP; and that Requirement 5 be amended to require the Fire and Rescue Service's approval of the BSMP. *(Proposed question 10.)*

6. Consultation, land interests and outstanding information

6.1 Statutory periods

What the Applicant said. Change Application and Consultation Report [08.42] Table 5-1, against the 11 December row: "The Applicant acknowledges this period is less than allowed for by the CA Regulations, but respectfully suggests this, to enable the full

process to be carried out within the statutory Examination timescales." At the procedure meeting of 21 October the Applicant said it "was not seeking to reduce any statutory periods" (Meeting Note).

Where it is shown inaccurate. The two statements cannot both be true. Regulation 19 of the CA Regulations allows the Examining Authority to extend time; it gives no power to shorten it. The Examining Authority has since declined to examine compulsory acquisition for Changes 2, 4 and 9 and the point is not now live, but it bears on the weight to be given to the Applicant's other assurances about process.

Request. That the Applicant confirm which of the two statements is correct. *(Proposed question 1(a).)*

6.2 The number of persons affected

What the Applicant said. [CR1-001] para 3.1.7 (25 September): 103 parties with an interest in the additional land, two "entirely new to the Project". [AS-043] (8 October): 74 affected persons, 73 notified. [08.42] para 4.4.8 (13 October): 95 landowners, of whom only one is additional and 94 "had already been identified".

Where it is shown inaccurate. Three documents, three different counts, in three weeks, for the same changes. The two ad medium filum owners identified in September are subsoil owners under highway and are therefore landowners; by 13 October only one is said to be new. Two cannot become one without explanation, and 74 and 95 cannot both describe the same land. Every person with an interest in the additional land is entitled to be consulted; the examination needs to know who they are.

Request. That the Applicant reconcile the figures of 103, 74 and 95, explain which persons were notified and when, and confirm that both ad medium filum owners were notified. *(Proposed question 1(b).)*

6.3 Book of Reference

What the Applicant said. [08.21] Technical Note — Schedule of Changes to the Book of Reference, and [04.03] Book of Reference (1,948 pp), record the plot changes; para 2.3.14 of [08.42] says Changes 1, 2 and 4 create 22 new plots and Change 9 none; plot 18-005 is reduced from 35,270 to 35,219 sq m with 18-005a created.

Where it is unclear. The Book of Reference was re-issued whole; no tracked version was supplied and the Technical Note does not cross-refer plot numbers to the changes that caused them. Without that, an affected person cannot see whether their entry changed. See [REP3-054] B.2.

Request. That the Applicant provide a tracked schedule listing, for each plot added, removed or altered, the change that caused it. *(Proposed question 1(c).)*

6.4 Consents and the marine licence

What the Applicant said. The Consents and Licences Statement [APP-215 series] does not list a marine licence. At Q1.16.21 the Applicant answers only that the works lie outside the limits of the Pilotage Order. The Marine Management Organisation has not responded to [PD-007].

Where it is incomplete. Whether a marine licence is needed turns on three things under Part 4 of the Marine and Coastal Access Act 2009: whether the works are within the UK marine area (which extends up tidal rivers to the normal tidal limit), whether they are a licensable activity, and whether an exemption applies. The Pilotage Order limits answer none of them. The cable crossing of the Aire and Calder Navigation, and Schedule 3's disapplication of the Navigation Acts, do not of themselves answer it either.

Request. That the Applicant state whether any of the works lie within the UK marine area, whether any is a licensable activity, and if so which exemption it relies on or whether a licence or deemed licence is sought; and that the MMO be asked to confirm. *(Proposed question 11.)*

6.5 Harbour and navigation provisions

What the Applicant said. Schedule 3 of the draft Order [03.01] disapplies the Aire and Calder Navigation Acts for the cable crossing; the protective provisions for the Canal & River Trust are said to be agreed in principle.

Where it is unclear. No agreed protective provisions have been filed and the Trust's position on the disapplication is not on the record. See [REP3-054] C.6.

Request. That the Applicant confirm the status of the protective provisions and file the Trust's agreement, or the points outstanding, at Deadline 5. *(Proposed question 1(d).)*

6.6 Cumulative assessment

What the Applicant said. [08.43] takes a cut-off of 10 December 2025 for other developments and treats the Hillam scheme (ID 67) as refused; the Stillingfleet scheme (ID 207, about 3,500 homes) is noted but bird survey data for it is "not available".

Where it is shown inaccurate. Hillam was allowed on appeal on 19 December 2025, nine days after the cut-off and ten months before the Supporting Environmental Information Report was written. A cumulative assessment prepared in October 2026 that treats a scheme allowed in December 2025 as refused is wrong on its own terms. Stillingfleet's data was available from the local planning authority.

Request. That the Applicant update the cumulative assessment for Hillam and Stillingfleet, and state whether any other scheme's status changed between 10 December 2025 and the date of [08.43]. *(Proposed question 13.)*

6.7 Documents the examination still lacks

An updated Grid Connection Statement (section 3); the plan requested at Q1.15.2 (section 2.3); a tracked Book of Reference schedule (6.3); the MMO's response (6.4); the Canal & River Trust protective provisions (6.5); the Fire and Rescue Service's position (section 5); and the corrections in Appendix B. I ask that each be required before Deadline 5 so that interested parties can comment on it within the examination.

6.8 Matters raised at Deadline 3 and not yet answered

The following points from my Deadline 3 submission [REP3-054] remain open. I do not repeat the argument; I list them so that they are carried into ExQ2 and so that I may respond at Deadline 5 to whatever the Applicant files on them at Deadline 4.

(a) Functional floodplain (B.1): the Applicant's concession in [08.22] that the Ouse crossing of the cable corridor and the Wistow flood storage area are functional floodplain, against ES Chapter 15's statement that none of the areas assessed is within Flood Zone 3b; the Sequential and Exception Tests have not been revisited.

(b) Figures 15.27 and 15.28 (B.2): their status as documents marked for certification with no route into Schedule 13, and sheet 7 of Figure 15.27 still not published.

(c) The 2025 model update report (B.4): the Environment Agency and the examination have output maps but not the report that explains them.

(d) Monk Fryston and section 127 (B.9): National Grid's position that the Order limits overlap land needed for Yorkshire GREEN, plot 21-031, and protective provisions "not in a form acceptable to NGET".

(e) Pattern of disclosure (B.8): the matters in this submission — the connection date, the dependent transmission works, the marine licence, the cumulative schemes — are each things the application could have stated and did not.

7. Index of requests

The questions I ask the Examining Authority to put to the Applicant at ExQ2 are set out in full at the end of each section above. This index lists them by number.

No.	Subject	Section	Applicant's document
1	Procedure: statutory periods (a), affected-person counts (b), Book of Reference schedule (c), Canal & River Trust provisions (d)	6.1, 6.2, 6.3, 6.5	08.42, AS-043, CR1-001, 08.21, 03.01
2	Change 5: enlarged substation compound and flood extents	2.1	08.43, REP2-021, REP2-079

No.	Subject	Section	Applicant's document
3	Substations and the certified flood commitment	2.2	REP3-019 Q1.2.2, REP2-079
4	Grid: connection status and Gate 2 offer	3.5(a)	APP-215
5	Grid: 275 kV or 400 kV, physical design	3.5(b)	APP-222
6	Grid: dependent transmission works	3.5(c)	Appendix A
7	Grid: land powers tied to a firm connection	3.5(d)	03.01 art 22, Req 1
8	Freehold area, necessity, transfer, funding	4.6	04.01, APP-036, REP3-019 Q1.17.1, Q1.17.7
9	Panel flood tolerance and plan	2.3	REP3-019 Q1.15.2
10	Battery capacity, separation, fire service, firewater	5.3	REP3-019 Q1.16.2, Q1.15.14
11	Marine licence	6.4	APP-215, REP3-019 Q1.16.21
12	Site selection sequence	2.4	04.01 s.7
13	Cumulative assessment: Hillam and Stillingfleet	6.6	08.43

I also ask that the document corrections in Appendix B be required at Deadline 5.

Appendix A: grid registers and the 22 works

A.1 Sources. All are published by the National Energy System Operator at neso.energy and are not in the application. The register name, version and date are given so that the Applicant and the Examining Authority can retrieve them.

- Transmission Entry Capacity (TEC) Register, version published 27 October 2026 (and the archived copy of the same register showing the September 2026 label change from Monk Fryston 275 kV to 400 kV).
- Connections Reform — Gate 2 to Whole Queue, EA Register v2.0, June 2025 (anonymised).
- Connections Reform Detailed Results Data, January 2026 (zonal only; no project names).
- Transmission Works Register, 16 October 2026.

- Yorkshire GREEN project information (National Grid), Monk Fryston substation.

A.2 The Project's TEC entry (27 October 2026). Project reference PRO-001646; connection site Monk Fryston 400 kV; capacity 500 MW; agreed connection date 31 December 2029; Gate column blank. Other entries at Monk Fryston in date order: SSE 320 MW (2025); Harmony 200 MW (2029); ENSO 400 MW (2031); Elements Green 800 MW (2035); Downing 249.9 MW (2035); Kingfisher 200 MW (2036).

A.3 The anonymised reform entry (June 2025). "Monk Fryston": 650 MW Solar + 500 MW Battery; connection date 31 December 2030; Monk Fryston 275 kV. The Project is the only solar-plus-battery scheme of that size at Monk Fryston, so the entry appears to be the Project; the Applicant can confirm.

A.4 Transmission works at or associated with Monk Fryston (Transmission Works Register, 16 October 2026).

Ref	Scheme
CS-04555	New user bay, Monk Fryston 275kV AIS Double Busbar Substation
CS-04556	Replace SGT1 400/275 kV interbus transformer, Monk Fryston
CS-04557	Osbaldwick–Poppleton 400 kV double circuit (NOA option OPN2)
CS-04558	Ferrybridge C substation replacement
CS-04559	High Marnham second interbus transformer
CS-04560 to CS-04576	Reconductoring, protection, busbar and circuit works on the Monk Fryston, Eggborough, Drax, Thorpe Marsh and Osbaldwick circuits (17 schemes)

The register gives each scheme's status and, where set, its programmed completion date. I do not assert which of these the Project depends on; the Applicant will know and should say.

A.5 Yorkshire GREEN. National Grid's Yorkshire GREEN project includes a new 400/275 kV substation at Monk Fryston, due to operate in 2027 and complete in 2028. The Applicant's Land and Rights Negotiations Tracker [04.04] notes plot 21-031 as land that "may be in conflict" with National Grid works.

Appendix B: schedule of document errors

These are errors in the Change Application documents published on 14 October 2026. None is raised as a point of substance; each should be corrected so that the certified documents are accurate. The Examining Authority's standing direction on document quality [PD-010] is noted.

No.	Document	Where	Error	Correction sought
1	08.42 Change Application and Consultation Report	para 3.3.4	Refers to "Change 7" where the text describes a different change	State the correct change number
2	08.42	paras 6.1.2–6.1.3	The report cites itself (08.42) as the source	Cite the underlying document
3	08.42 / 08.43	throughout	"Supporting" and "Supplementary" Environmental Information Report used interchangeably	Use one title
4	08.42	consultation history	Date given as "February 2006"	Confirm the intended year
5	08.42 Table 7-2	document list	Duplicate version numbers for revised documents	Issue unique revisions
6	08.43 Supporting Environmental Information Report	Table 3-1	Flood risk row header mislabelled	Correct the header
7	08.43	photomontage cross-reference	Cites 08.23 where the photomontages are elsewhere	Correct the reference
8	08.42 and 08.43	several paragraphs	Double negatives make the meaning uncertain (e.g. "not un-affected")	Redraft in the positive

No.	Document	Where	Error	Correction sought
9	08.42	reference list	"REP2-0217" is not a library reference	Give the correct number
10	REP2-079 Flood Risk Assessment	substation description	"225 kV" where 275 kV is meant	Correct
11	REP3-019 Q1.15.2	answer (a)	"(FRA paragraph ref)" placeholder left unfilled	Insert the reference (see section 2.3)
12	REP3-019 Q1.16.2	answer	Outline BSMP cited as REP2-097 and REP2-098	Confirm the correct reference
13	APP-215 Grid Connection Statement	whole	Not revised with the Change Application and not listed in Table 7-2	Revise (see section 3)

Declaration and documents referred to

Declaration. I am a private individual with no legal or planning qualifications. I prepared this submission myself. I used Claude (Anthropic) to help me find, read and organise the application documents and the public registers referred to, and to draft text from my instructions. Every quotation and reference has been checked by me against the source document. Another interested party assisted me with the grid registers in Appendix A. The views expressed are my own.

Documents referred to.

Reference	Document
PD-010	ExA letter of 5 October 2026 (EN0110012-000799)
EN0110012-000978	ExA procedural decision of 27 October 2026
CR1-001	Change Request notification, 25 September 2026
AS-043	Applicant's letter of 8 October 2026 (EN0110012-000893)

Reference	Document
08.42	Change Application and Consultation Report (EN0110012-000942)
08.43	Supporting Environmental Information Report (EN0110012-000927)
03.01	Draft Development Consent Order, tracked (EN0110012-000909)
04.01	Statement of Reasons, Change Application (EN0110012-000914)
04.03 / 08.21	Book of Reference; Technical Note — Schedule of Changes (EN0110012-000917, -000765)
04.04	Land and Rights Negotiations Tracker (EN0110012-000645)
APP-036	Funding Statement
APP-215	Grid Connection Statement
APP-222	Grid Connection Study
REP2-021	Design Parameters and Commitments (05.06)
REP2-079	Flood Risk Assessment
REP2-097/098	Outline Battery Safety Management Plan
REP3-019	Applicant's Response to ExQ1 (08.25, EN0110012-000871)
REP3-054	My Deadline 3 submission
REP1-032	My Written Representation
Figure 15.27	Design Flood Extents with Site Layout (EN0110012-000762)
Meeting Note	Note of the procedure meeting of 21 October 2026
NESO registers	As listed in Appendix A.1
CA Guidance	DCLG, Planning Act 2008: guidance related to procedures for the compulsory acquisition of land (2013), paras 8, 11, 13
SI 2010/104	Infrastructure Planning (Compulsory Acquisition) Regulations 2010, regs 6, 8, 15, 16, 19

Reference	Document
SDR / Be Ready	Strategic Defence Review 2025, as summarised in House of Commons Library briefing CBP-11183 (2 September 2026); Government "Be Ready" guidance, 22 October 2026

Light Valley Solar (EN0110012)

Supplement to my Deadline 4 representation

Budget 2026, claimed consumer benefits, carbon assessment and grid deliverability

Mrs Annette Exley | Interested Party [redacted]
3 November 2026 | Supplementary representation

1. Purpose and request

1.1 I maintain my objection. This supplement asks the Examining Authority to scrutinise the evidence supporting the Applicant's claims about lower consumer bills, delivered electricity, carbon benefits and timely grid connection. It supplements my existing representations rather than replacing them.

1.2 The Budget announcement of 28 October 2026 provides current context for that scrutiny. This supplement should be read alongside my submitted Deadline 4 representation, particularly section 3 and Appendix A on grid deliverability and section 5 on battery storage.

1.3 I ask for a consolidated, source-referenced response before the close of examination, with an opportunity for interested parties to comment. Any additional project-specific benefit should receive the weight supported by the evidence, without duplicating the weight attached to the established national need for low-carbon generation.

2. What the Budget does and does not establish

2.1 HM Treasury's Budget 2026, Box 3.A and section 4.3, links future generation procurement to consumer affordability, system benefit and the ability to connect. Section 4.3 also describes a Cost Control Framework to be introduced at the 2027 spending review.

2.2 The detailed text qualifies the interim restriction on new bill-funded policy costs: exceptions apply where measures reduce bills or are essential for security of supply. The Budget also supports continued clean-power procurement. It does not establish a blanket prohibition on new Contracts for Difference, nor demonstrate that this project is ineligible for support.

2.3 I rely on these announcements as relevant context for testing the benefits advanced by the Applicant. I do not contend that a fiscal or procurement statement replaces the applicable National Policy Statements, creates an additional statutory consent test, or requires refusal by itself. If its relevance is disputed, the Examining Authority could seek DESNZ's position.

3. Consumer benefits and delivered electricity

3.1 The Statement of Need [05.03], paragraph 11.1.23, advances lower consumer bills as a benefit of this development. Sections 10.2 and 10.3 explain pricing and generation costs in general terms. A wholesale-price effect or a levelised generation cost does not, by itself, quantify the net effect of this particular scheme on final consumer bills.

3.2 I ask the Applicant to identify the project-specific analysis supporting this claimed benefit, or state clearly that the claim is qualitative and technology-wide. Any quantified comparison should explain its counterfactual, assumptions, uncertainty and treatment of network, balancing, curtailment and support costs. Costs should be attributed transparently, recognising shared network benefits and avoiding double counting of capital expenditure, financing and support payments.

3.3 Paragraph 6.3.2 discusses CfDs, the Capacity Market and private contracts as funding routes. Please identify the intended route separately for solar and storage, the extent to which the proposal depends on support, and any implications of the Budget for that route. The mere possibility of a support contract does not establish a net cost increase: CfD payments can operate in both directions, and the consumer effect depends on contract and market conditions.

3.4 ES Chapter 9 [06.01.09], paragraphs 9.6.4 and 9.9.31, assumes 662 MW installed capacity and approximately 568 GWh annual generation averaged over 60 years, with approximately 34,100 GWh lifetime generation. The annual figure corresponds to about 9.8% of installed capacity. This arithmetic does not establish underperformance: a degraded lifetime average cannot be compared directly with a first-year or fleet-average load factor without adjustment.

3.5 Please provide a reconciliation from gross generation to net electricity exported: first-year yield, panel degradation, inverter and cable losses, export-limit clipping, availability, curtailment, battery losses and replacement downtime. State which adjustments are already included in the published figures and avoid counting battery discharge as additional renewable generation where the same solar electricity has already been counted.

3.6 ES Chapter 2 [06.01.02], paragraph 2.8.32, anticipates one full panel replacement over a 12-24 month period and up to five BESS infrastructure replacements. These may be phased rather than whole-site outages. Please explain the programme and how generation loss during renewal is treated, including whether panel replacement resets degradation assumptions.

4. Carbon: the comparison requires explanation

4.1 Chapter 9, paragraph 9.9.32, compares lifetime generation with approximately 2.9 million tCO2e using a 2030 grid intensity of 85 tCO2e/GWh. Paragraph 9.9.31 gives the scheme's own intensity as 54.6 tCO2e/GWh. The fixed first-year comparator needs explaining alongside the declining-grid pathways relied on elsewhere in the application.

4. Carbon assessment (continued)

4.2 The Statement of Need, paragraph 6.2.13, describes pathways in which low-carbon generation, if delivered, brings net grid intensity to zero or below by 2035. This is conditional on the delivery of generation and other infrastructure. It is not evidence that an additional solar project necessarily displaces no emitting generation after that date.

4.3 A net annual grid average, marginal generation displaced at particular times, and whole-life supply-chain emissions are different measures. Government appraisal guidance distinguishes average and marginal electricity factors. The Applicant should justify the comparator appropriate to this assessment and apply consistent boundaries. I do not claim that a zero net grid average proves that this scheme is a net emitter.

4.4 Chapter 9 identifies construction emissions of 590,520 tCO2e, operational emissions of 1,266,790 tCO2e and decommissioning emissions of 5,980 tCO2e: a derived lifetime total of 1,863,290 tCO2e. Replacement accounts for 1,260,000 tCO2e of operational emissions. Replacement has therefore been included; the question is how these emissions compare with the generation actually displaced over time.

4.5 The Chapter 9 fixed-factor comparison implies a net difference of approximately 1.04 million tCO2e. That is arithmetic on its stated figures, not an independently verified avoided-emissions forecast. Please provide an annual calculation using a justified evolving counterfactual, identify the guidance and factor series used, and show sensitivity to different commissioning dates, curtailment, battery operation and equipment replacement. Explain any treatment beyond the published projection horizon.

4.6 Please report both the cumulative emissions profile and any carbon payback date, defining whether payback relates to initial construction emissions or all lifetime emissions. Chapter 9, paragraphs 9.9.27-9.9.29, itself discusses the limits of its wider-grid assessment and the importance of a comparable baseline consistent with a net-zero trajectory.

5. Battery delivery and the grid connection

5.1 The Statement of Need, paragraph 3.7.14, distinguishes solar Gate 2 Phase 1 prioritisation from a BESS Gate 1 offer without a confirmed indicative date. ES Chapter 9, paragraph 9.9.33, anticipates a beneficial balancing effect but does not quantify it. Please distinguish an assessed benefit from an expected but unquantified contribution.

5.2 Please state the current position separately for solar and BESS: executed agreements, location and voltage, import and export capacities, partial and full connection dates, restrictions, outstanding conditions and enabling transmission works. Prioritisation, a register entry and an executed connection offer should be distinguished. A blank register field alone does not establish that a connection has been lost or that no agreement exists.

5. Grid connection (continued)

5.3 My submitted Deadline 4 representation raises grid matters in section 3 and Appendix A, with connection questions 4-7 in its summary schedule, and battery matters in section 5 and question 10. I rely on those concerns without asserting that the register information recorded there has been independently refreshed for this supplement. Please identify which associated transmission works are prerequisites for this connection, their programmes and the effects of delay.

5.4 Please provide an integrated programme linking construction, commissioning, usable export and replacement. Test a clearly labelled sensitivity with full export unavailable until the end of 2031 and 2032 as the first full operating year. This is a scenario for testing robustness, not an asserted connection forecast.

5.5 Please explain the solar-only case if the BESS connects later: export-limit clipping, energy lost or deferred, consumer and carbon benefits, and any storage-related contribution unavailable during that period. Confirm BESS MW and usable MWh, charging sources, efficiency, degradation and import/export limitations. Address the request in my Deadline 4 representation for an enforceable maximum storage-energy parameter consistent with the assessed effects.

6. Response sought

6.1 I ask the Examining Authority to obtain a single response addressing: (a) the basis and limits of the bill-saving claim; (b) the proposed support route and Budget implications; (c) an auditable generation-to-export reconciliation; (d) an evolving carbon counterfactual and cumulative emissions profile; (e) deliverability of the solar and storage connections; and (f) the effects of delay and renewal on the claimed benefits.

6.2 Where the evidence supports only a general benefit of the technology, the assessment should say so. Where an additional project-specific benefit is claimed, the assumptions and dependencies should be explicit. These requests concern the reliability and weight of the benefits advanced for this proposal; they do not assume that an uncertain or later connection extinguishes national need.

Sources and scope of review

HM Treasury, *Budget 2026*, published 28 October 2026, Box 3.A and section 4.3: gov.uk/government/publications/budget-2026-document/budget-2026-html (accessed 3 November 2026). Government supplementary appraisal guidance, *Valuation of energy use and greenhouse gas emissions*, background documentation, section 2.3 (average and marginal electricity factors).

Application documents supplied for this review: Statement of Need [05.03], February 2026; ES Chapter 2 [06.01.02], February 2026; ES Chapter 9 [06.01.09], February 2026. The Applicant is asked to explain how the detailed calculations in ES Appendix 9.1 support the matters identified above. Cross-references are to my submitted 19-page Deadline 4 representation, headed Deadline 4, 10 November 2026.

Declaration: I used Claude (Anthropic) to assist with the initial draft and ChatGPT (OpenAI) to review and revise it, check cited passages and arithmetic, and consult official Budget and appraisal sources. I have reviewed and adopted this final representation. The views and requests are my own.

Mrs Annette Exley | Interested Party FF2F1B9DD

Submission ID: S51630DC9

Light Valley Solar (EN0110012) — Summary of Deadline 4 Submission

Mrs Annette Exley · Interested Party reference FF2F1B9DD · Deadline 4, Tuesday 10 November 2026 · Summary of a submission of more than 1,500 words

My full submission comments on the Applicant's change request of 13 October 2026 [CR1-002 to CR1-048] and on its responses to the first written questions [REP3-019]. It raises nineteen points under five headings and proposes thirteen questions for the second written questions. It renews my request to be heard at any hearing in January 2027. The main points are these.

1. Flood risk and site selection

Change 5 enlarges the Site 1 substation compound from 1.0 to 1.2 ha without showing that the enlarged area stays within Flood Zones 1 and 2 and outside the design flood envelope, as the certified Design Parameters [REP2-021] require; the Applicant says the change is not needed for its drainage or safety commitments. Its answer to Q1.2.2 makes the substations' heights "dependent on estimated flood depth"
, and the Site 4
substation has a flood-related floor level of +0.386 m that the commitment does not explain. The panels' claimed 1.0 m flood tolerance rests on a reference left as "(FRA paragraph ref)"
, while the Applicant's own
modelled depth at Site 1 is 1.25 m, and the plan the Examining Authority asked for was not provided. The Statement of Reasons [04.01] shows the sites were chosen from land that willing owners offered, by a screen that excluded Flood Zones 2 and 3 — which Site 1 contains.

2. Grid connection

The application describes a spare 275 kV bay at Monk Fryston and 4.9 km of cable. NESO's public registers show the Project at 400 kV , with no Gate 2 agreement recorded and a connection date of 31 December 2029 (or 2030 in the June 2025 reform data), and twenty-two transmission works schemes at or associated with Monk Fryston on which the connection appears to depend, none mentioned in the application. The Grid Connection Statement [APP-215] was not revised with the change request. I ask for the connection status, the physical design and the dependent works to be stated, and for the Examining Authority to consider tying the exercise of compulsory acquisition powers to a firm connection offer.

3. Freehold, transfer and funding

Freehold powers are sought over about 900 of the 1,270 hectares in the Order limits — roughly 71% of all the land the Order covers — although the Applicant confirms at Q1.17.1(c) that options for leases are in place for every freehold plot. Article 37(3)(a) lets that land, with the substations and grid connection on it, pass to any licensed generator without the Secretary of State's consent, at a time when the Government's Strategic Defence Review and "Be Ready" guidance tell the public to prepare for attacks on energy infrastructure. I propose that such transfers require consent and that decommissioning obligations bind successors. Funding for £925–975 million is not evidenced beyond an intention to approach funders after consent (Q1.17.7), and the draft Order contains no guarantee or security provision.

4. Battery storage and fire safety

The Applicant will not cap stored energy at the 2,000 MWh it assessed; enclosures are 2.5 m apart; the design is to be settled by fire testing after consent; and the fire and rescue service's agreement to departures from NFCC guidance is not on the record. I ask for a maximum capacity parameter and for Requirement 5 to require the Fire and Rescue Service's approval.

5. Consultation and outstanding information

The Applicant wrote that its timetable gave "less than allowed for by the CA Regulations" and told the procedure meeting it was "not seeking to reduce any statutory periods"
. Its count of persons affected by the
changes has been 103, 74 and 95 in nineteen days. The Book of Reference was re-issued whole with no tracked schedule. The marine licence for the River Ouse crossing has been addressed by neither the Applicant nor the MMO. The Canal & River Trust protective provisions are unfiled. The cumulative assessment treats Hillam Solar, allowed on appeal in December 2025, as refused, and assesses a 3,500-home scheme without data. Thirteen document errors are scheduled for correction, seven missing documents are listed for production before Deadline 5, and five matters from my Deadline 3 submission remain unanswered.

The full submission gives the document and paragraph for every quotation. I used Claude (Anthropic) to help find, read and
organise the documents and to draft text from my instructions; every reference has been checked by me against the source. The
views are my own and nothing in the submission is legal advice