



Planning Inspectorate
Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Clean Air Solar Farm

Case Reference: EN0110018

Adopted by the Planning Inspectorate (on behalf of the Secretary of State)
pursuant to Regulation 10 of The Infrastructure Planning (Environmental
Impact Assessment) Regulations 2017

07 August 2026

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1. INTRODUCTION

- 1.0.1 On 30 June 2026, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Clean Air Renewables Limited (the applicant) under regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) for the proposed Clean Air Solar Farm (the proposed development). The applicant notified the Secretary of State (SoS) under regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development and by virtue of regulation 6(2)(a), the proposed development is 'EIA development'.
- 1.0.2 The applicant provided the necessary information to inform a request under EIA regulation 10(3) in the form of a Scoping Report, available from:
- <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN0110018/documents>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the proposed development as currently described by the applicant. This Opinion should be read in conjunction with the applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in appendix 1 in accordance with EIA regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice pages, including '[Pre-application advice for Environmental Impact Assessment](#)'. This provides guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in 'Pre-application advice for Environmental Impact Assessment', alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

['Nationally Significant Infrastructure Projects: Advice pages'](#)

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.0 Description of the Proposed Development

(Scoping Report Section 5)

ID	Ref	Description	Inspectorate's comments
201	Paragraphs 5.2.21 to 5.2.24	Battery energy storage system (BESS)	The description of the physical characteristics and technical capacity of the BESS should be developed in the ES to include details such as battery technology type or specification, location, dimensions and anticipated number of containerised battery units.
202	Paragraphs 5.2.28 to 5.2.31 and table 19-1	Grid connection	The Inspectorate notes that there is conflicting information within the Scoping Report regarding the grid connection, with paragraph 5.2.30 stating that only underground cables are proposed at this stage, while table 19-1 states that both underground and overhead options are being considered. Given that the route and installation methodology for the grid connection are yet to be determined. The ES should include a complete description of the proposed development, including whether the grid connection would comprise underground and / or overhead infrastructure. Where underground cabling is proposed, the ES should include the maximum depth and width of all cable trenches, the proposed excavation methods and the final easements for all cabling required. Where overhead infrastructure is proposed, the ES should include details of the proposed route, height, design, number and location of any pylons, poles or other supporting structures, and any associated works. The ES should also identify any natural or manufactured features such as ditches, watercourses, infrastructure and sensitive habitats that would be crossed during construction and operation. The ES should specify the location of each crossing, with reference to an accompanying figure(s). The ES should describe the types of crossings that are required, their scale and dimensions and the nature of any associated construction work, such as horizontal directional drilling (HDD). This information should be used, where relevant, to inform a worst-case scenario in the assessments.

ID	Ref	Description	Inspectorate's comments
203	Paragraph 5.2.33	Access routes	The ES should describe the proposed site entrance(s) and the routes to be used for all vehicular access during construction and operation of the proposed development, and this information should be clearly presented on supporting plans within the ES. The ES should describe and assess the potential effects, where they are likely to be significant, associated with any improvements or changes to the access routes which are either required to facilitate construction of the proposed development or are required for restoration purposes on completion of the works. For the assessment of effects during construction and operation, the ES should explain how the proposed access route(s) relate to sensitive receptors.
204	Paragraph 5.2.41	Landscaping and biodiversity enhancement	The ES should make a clear distinction between measures that are considered to be mitigation for potential effects and where measures are enhancement compared to the existing baseline conditions. In relation to Biodiversity Net Gain (BNG), the applicant should ensure that mitigation for loss of habitat is not double counted as enhancement. The ES should also demonstrate how the mitigation hierarchy has been followed.
205	Paragraph 5.3.1	Construction phasing	The Scoping Report states that construction is anticipated to last approximately 2 to 3 years. The ES should include details of how the construction would be phased, including the likely commencement date, duration and location of the required construction activities. Where uncertainty remains, the assessment should be based on a worst-case scenario.
206	Paragraphs 5.3.4 and 5.3.5	Construction compounds	The Scoping Report states that the proposed development would require temporary construction compounds, however, the precise dimensions and exact locations are yet to be determined. To ensure a robust assessment of likely significant effects (LSE), the ES should provide details regarding the number, location and dimensions of the construction compounds, and include these in any relevant assessment such as construction phase flood risk.
207	n/a	Lighting	The ES should describe the lighting requirements for all elements and phases of the proposed development. It should be explained what measures are proposed to minimise light spill on human and ecological receptors.

ID	Ref	Description	Inspectorate's comments
208	n/a	Modified design elements in the ES	Additional design detail included in the ES (for example addressing ID2.0.1 to 2.0.7 above) should be identified and developed sufficiently in advance of submission to enable relevant bodies (including statutory consultees where appropriate) to consider the proposals and for any matters arising from that engagement to be reflected in the assessment presented in the ES.

2.1 EIA Methodology and Scope of Assessment

(Scoping Report Section 4)

ID	Ref	Description	Inspectorate's comments
21.1	Paragraphs 4.1.7 to 4.1.9	Rochdale Envelope	The Inspectorate notes the applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the proposed development. The Inspectorate expects that at the point an application is made, the description of the proposed development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the proposed development, supported by figures, or where details are not yet known, will set out the assumptions applied to the assessment in relation to these aspects. This should include the footprint and heights of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the development. The description should be supported (as necessary) by figures, cross sections, and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out and justify the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the ES.
212	Paragraph 4.2.11	Future baseline	The ES should set out the assessment year of the future baseline and detail how the future baseline conditions are established. In light of the number of ongoing developments within the vicinity of the proposed development, the description of the future baseline in the ES should clearly set out the construction and operation timeline for these projects against the timeline for the proposed development. The Inspectorate notes that some assessments require projections to account for future change. The ES should detail the methodology used for the projections, including the relevant data sources used.

ID	Ref	Description	Inspectorate's comments
213	Paragraphs 4.2.26 to 4.2.35	Cumulative effects	The ES should clearly explain how the Zone of Influence (Zol) was determined and how the Zol influenced the identification of the study area, noting that this is likely to be dependent on the aspect being assessed and at this stage the study area is assumed to be within 10km of the proposed development. The applicant should seek to agree an appropriate study area, methodology for the cumulative effects assessment and the list of projects that should be assessed with relevant consultation bodies. Developments considered in the cumulative effects assessment should also be presented on an appropriate figure in the ES for ease of reference. The applicant's attention is drawn to the consultation response from East Riding of Yorkshire Council (ERYC) (appendix 2 of this Opinion) for further information.
214	Paragraph 4.2.35	Interactive effects	The Scoping Report states that interactive effects within the proposed development will be assessed in the relevant ES chapters, or in the human health chapter if they could affect human health. The Scoping Report does not provide a detailed description of the methodology to be used in the interactive effects' assessment. The ES should include the methodology that will be used to identify, assess, and determine the significance of effects.
215	Paragraph 4.2.40 and table 19-1	Transboundary	The Inspectorate on behalf of the SoS has considered the proposed development and concludes that the proposed development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the proposed development's likely impacts including consideration of potential pathways and the

ID	Ref	Description	Inspectorate's comments
			extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the proposed development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the annex to its Advice Page 'Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process', links for which can be found in paragraph 1.0.7 above.
216	Paragraph 4.2.43	Alternatives	The ES should provide full details of alternative sites, layouts and energy generation technologies considered for the proposed development. This should include a comparison of the environmental effects.
217	n/a	Use of professional judgement	The ES should clearly identify where professional judgement has been relied upon to determine the level of significance of effects. Any use of professional judgement to assess significance should be fully justified within the ES.
218	n/a	Presentation of information	The Inspectorate notes that there are a number of presentation errors within the Scoping Report, this includes repetition or formatting mistakes or spelling and grammar.

ID	Ref	Description	Inspectorate's comments
			For example, in chapter 9 of the Scoping Report, there are 2 tables labelled 'table 9-5'. The applicant should make efforts to ensure that there are no presentation errors within the ES.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Biodiversity

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Table 6-5	Dormice	Desk-based searches identified no records of dormice in the Yorkshire region in which the proposed development is located. In addition, paragraph 6.3.74 of the Scoping Report states that habitats within the study area are of negligible suitability for dormice. On this basis, the Inspectorate is content that potential effects on dormice can be scoped out.

ID	Ref	Description	Inspectorate's comments
3.1.2	Section 16.2	Legislation and guidance	The Scoping Report omits reference to some relevant legislation and guidance. The applicant should ensure the ES is prepared with regard to all relevant legislation and guidance. The applicant's attention is drawn to the consultation response from the Environment Agency (EA) (appendix 2 of this Opinion) for further information.
3.1.3	Table 6-3 and figure 6-3	Ancient woodland and veteran trees	Given veteran trees and ancient woodland are identified within the study area, the ES should also assess any LSE on veteran trees and ancient woodland.
3.1.4	Paragraph 6.3.94	Coarse fish species	The Scoping Report states that where construction activities have the potential to affect the identified watercourses, surveys will be undertaken to consider their potential to support migratory fish species. The Inspectorate advises that consideration should also be given to coarse fish species, where relevant. The

ID	Ref	Description	Inspectorate's comments
			applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) for further information.
3.1.5	Table 6-6	Ecological receptors affected	The Inspectorate notes that fish have been omitted as an ecological receptor affected for some activities in table 6-6 of the Scoping Report. The ES should ensure that all relevant impact pathways to fish species are assessed, such as construction noise near watercourse, dust deposition, sediment runoff, pollutants entering watercourses, and increased lighting. Where fish are not considered a receptor, this should be clearly justified and supported by evidence in the ES. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) for further information.
3.1.6	Paragraph 6.8.14 and table 6-9	Baseline field surveys	Table 6-9 of the Scoping Report presents a summary of further biodiversity surveys. The applicant should seek agreement from relevant consultation bodies regarding the scale, extent, and timing of these surveys to ensure the ecological baseline is robust. Evidence of this consultation should be provided within the ES. The ES should also describe any assumptions, limitations, and uncertainties associated with the surveys.
3.1.7	n/a	Priority habitats	The Inspectorate notes ERYC's comments regarding the presence of chalk streams, wood pasture and parkland within the study area. The ES should clearly identify these priority habitats within the baseline and include an assessment of significant effects where they are likely to occur or evidence demonstrating the absence of LSE and agreement with the relevant consultation bodies.
3.1.8	n/a	Invertebrates – all phases	The Inspectorate notes ERYC's comments that invertebrates are present within the site boundary. The ES should include an assessment of significant effects to invertebrates where these are likely to occur or evidence demonstrating the absence of LSE and agreement with the relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
3.1.9	n/a	Sensitive environmental information	Under Regulation 12(5)(g) of the Environmental Information Regulations 2004 (EIR), public bodies have a responsibility to avoid releasing sensitive environmental information that could bring about harm to sensitive or vulnerable ecological features. Sections of the ES containing specific survey and assessment data relating to the location of sensitive species (e.g., badgers, rare birds, and plants) or other vulnerable environmental features should be provided in separate annexes by the applicant. This approach reduces the sensitive ecological feature's risk of disturbance, damage, persecution, or commercial exploitation arising from publication. The applicant's approach should be proportionate and only use these separate annexes for species where there is a genuine risk of harm. All other assessment information should be included in an ES chapter, as normal, with a placeholder providing a justification as to why annexes have been withheld and that a full version of the ES has been submitted to the Inspectorate.
3.1.10	n/a	Functionally linked land (FLL)	The Inspectorate notes that the proposed development covers a significant area in proximity to Humber Estuary Special Protection Area (SPA) and Ramsar site, and Hornsea Mere SPA. The ES should assess any impacts on FLL arising from all phases of the proposed development, both alone and cumulatively, in relation to these international designated sites. The applicant's attention is drawn to the response from Natural England (NE) (appendix 2 of this Opinion) for further information.

3.2 Hydrology

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Table 7-4	Tidal, sewer and reservoir flood risk – all phases	The Scoping Report proposes to scope this matter out on the basis that the proposed development lies outside areas identified as being at risk from tidal flooding, and there is no indication of significant risk from sewer flooding. In addition, flooding from reservoirs is considered highly unlikely, as reservoirs are maintained and operated to a high standard. Furthermore, as the extent of potential reservoir flooding largely aligns with the fluvial flood risk area, any mitigation measures implemented for fluvial flood risk would also mitigate the risk of reservoir flooding. The Inspectorate agrees that the potential flood risk from sewers and reservoirs during all phases is low and can be scoped out of further assessment. The Inspectorate notes the EA's comments that tidal flood risk impacts to and from the proposed development could be underestimated, particularly when considering the effects of climate change over the lifetime of the development. The Inspectorate notes that the existing tidal flood modelling uses outdated climate change allowances and does not consider a tidal Credible Maximum (H++) scenario. Accordingly, tidal flood risk should not be scoped out at this stage, and the ES should provide further evidence to assess potential tidal flood risk, including the effects of climate change and tidal-fluvial interactions where relevant. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) for further information on this matter.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
322	Table 7-4	Changes to flood risk associated with cabling – operation phase	The Scoping Report proposes to scope this matter out on the basis that the excavations required for the underground cabling are shallow, which would not alter existing groundwater flow. Given that details on the cabling, including route and design, are still evolving, and considering that part of the cable search area is located within flood zones 2 and 3 and the locations of watercourse crossings are currently unknown, there is potential for the proposed cable routing to affect flood risk areas and watercourses. The Inspectorate is not in a position to agree to scope this matter out from the assessment. Accordingly, the ES should include an assessment of this matter or provide evidence demonstrating the absence of LSE and agreement with the relevant consultation bodies.
323	Table 7-4	Erosion and sedimentation – operation phase	The Scoping Report proposes to scope this matter out on the basis that the proposed development will have a negligible impact on sediment loads and the adopted Surface Water Drainage Strategy (SWDS) would effectively manage runoff, preventing any significant increase in erosion or sedimentation during operation phase. In the absence of a SWDS, there is insufficient information to demonstrate that risks from sediment runoff and associated water quality impacts can be adequately managed. As the proposed mitigation measures are currently unknown, there remains potential for deterioration in water quality due to increased suspended sediment and turbidity. On this basis, the Inspectorate does not agree to scope this matter out at this stage.

ID	Ref	Description	Inspectorate's comments
324	Paragraph 7.5.1	Receptors	The Inspectorate notes the EA's comments (appendix 2 of this Opinion) regarding sensitive water environment receptors that have not been identified or addressed

ID	Ref	Description	Inspectorate's comments
			within the Scoping Report. The ES should identify and assess all relevant groundwater and surface water receptors, including the Hull and East Riding Chalk Water Framework Directive (WFD) Groundwater Body, abstraction licences (including potable water supplies), and groundwater-dependent terrestrial ecosystems (GWDTEs), including Sites of Special Scientific Interest (SSSIs) where relevant. The ES should identify and acknowledge these receptors and consider the potential effects on these receptors accordingly.
325	Tables 7-1 and 7-2 and paragraph 7.6.6	Foul water management	The Inspectorate notes the EA's comments (appendix 2 of this Opinion) regarding foul water management. The ES should apply the drainage hierarchy when assessing foul drainage options and clearly explain how foul water will be managed during the construction, operational and decommissioning phases of the proposed development.
326	Table 7-6	Criteria	The EA has raised concerns (appendix 2 of this Opinion) about how the identified sensitivity criteria in table 7-6 of the Scoping Report would be assigned to receptors where they could fall within multiple criteria. The applicant should make effort to agree the approach with the EA and other relevant consultation bodies. If the applicant's approach to recording sensitivity of receptors deviates from the advice it has received, the ES should explain why and provide justification based on relevant evidence and professional opinion.
327	Paragraphs 7.8.5 and 7.8.15	Flood risk modelling	The Scoping Report proposes that flood risk modelling is not required for the southern land parcel. However, in the absence of such modelling, the Inspectorate considers that uncertainties may remain regarding flood risk associated with the southern land parcel. The ES should review the flood risk datasets used to inform the design of the southern land parcel and identify any evidence gaps or uncertainties. Where necessary, further assessment should be undertaken to demonstrate that potential flood risk effects have been appropriately characterised and addressed.

ID	Ref	Description	Inspectorate's comments
			The applicant's attention is drawn to the consultation comments from the EA (appendix 2 of this Opinion) regarding the flood risk assessment.
328	n/a	Fire water	The ES should consider the potential impacts from firewater drainage and other chemicals associated with the BESS and substation. The applicant's attention is drawn to the consultation comments from the EA (appendix 2 of this Opinion) for further information.

3.3 Agricultural Soils

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
33.1	Table 8-6	Physical damage to soil – operation and maintenance phase	The Scoping Report proposes to scope this matter out on the basis that there would be limited ground disturbance during operation and that operational soil-protection design principles would be embedded in the proposed development. The Inspectorate agrees that the risk of significant physical soil damage during operation is low and this matter can be scoped out of further assessment.

ID	Ref	Description	Inspectorate's comments
332	Paragraphs 8.3.5 and 8.3.6	Agricultural Land Classification (ALC) survey	The Scoping Report includes an ALC survey to inform the baseline; however, the survey area does not cover the cable search corridor. The Inspectorate notes that the applicant proposes to assess the relevant soil areas once the final cable route has been established, to confirm that impacts would be negligible. To ensure an accurate assessment of potential impacts on agricultural land resources, the ES should include an updated and comprehensive ALC survey information for any areas within the cable route where agricultural land resources could be affected.. This will allow the ES to robustly identify the quality and extent of agricultural land affected and to assess the significance of associated impacts. The ES should contain a clear tabulation of the areas of land in each best and most versatile (BMV) classification to be temporarily or permanently lost as a result of the proposed development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided. Consideration should be given to the use of BMV land in the applicant's discussion of alternatives.

ID	Ref	Description	Inspectorate's comments
333	Tables 8-7 and 8-8	Magnitude of impact and receptor sensitivity	The Inspectorate notes that the criteria proposed for receptor sensitivity and impact magnitude in the Scoping Report differ from the Institute of Environmental Management and Assessment (IEMA) guide: A New Perspective on Land and Soil in Environmental Impact Assessment. The ES should provide a clear justification for this approach and demonstrate that the alternative criteria are appropriate and robust.

3.4 Archaeology

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Table 9-3	Effects on findspots	The Scoping Report proposes to scope out impacts on findspots on the basis that the remains have been previously removed from the site, and therefore no impacts would occur. The Inspectorate does not agree that this matter can be scoped out on the basis that findspots may be indicative of further archaeological remains. The ES should detail how the findspots have been used to inform the baseline and the archaeological potential within the site boundary. Where the locations of findspots identify the potential for high archaeological potential, these locations should be scoped into the ES. The applicant's attention is drawn to the consultation response from Historic England (HE) (appendix 2 of this Opinion) for further information on this matter.
34.2	Table 9-3	Effects on currently known and unknown non-designated heritage assets outside of the site boundary – all phases	The Scoping Report proposes to scope out impacts on non-designated heritage assets outside the Order Limits during construction, operation and decommissioning, as unknown remains associated with known assets are unlikely to encroach into the site boundary. The Inspectorate does not agree that effects on known and unknown non-designated heritage assets located outside the site boundary can be scoped out of further assessment at this stage. The significance of these assets has not yet been fully established, and some could be of equivalent significance to scheduled monuments (in the case of buried archaeological remains). The ES should contain an assessment of the potential impacts on non-designated heritage assets outside of the site boundary.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The applicant's attention is drawn to the consultation response from HE (appendix 2 of this Opinion) for further information on this matter.

ID	Ref	Description	Inspectorate's comments
343	Paragraph 9.6.5	Geophysical survey	The Scoping Report state that geophysical survey and targeted intrusive evaluation such as archaeological trial trenching, and/or geoarchaeological bore holes where required, will be undertaken to inform the mitigation. The Inspectorate advises that, where necessary, geophysical survey, intrusive investigations and trial trenching should be completed prior to submission of the DCO application to inform the assessment in the ES. The applicant should seek to agree the scope and timing of further non-intrusive and intrusive survey with relevant consultation bodies and evidence of this should be provided within the ES.
344	Paragraph 9.9.16 and table 9-5	Criteria for assessing significance of effects	HE has raised concerns (appendix 2 of this Opinion) with the proposed criteria for assessing the significance or sensitivity of archaeological assets contained in table 9-5 of the Scoping Report. The applicant should make efforts to agree the criteria with HE and other relevant consultation bodies. If the applicant's criteria for assessing significance of an asset deviates from the advice it has received, the ES should explain why and provide justification based on relevant evidence and professional opinion.
345	Paragraph 9.9.23	Cumulative effects	The Scoping Report describes the applicant's proposed approach to the inter-project cumulative effects assessment. The Inspectorate disagrees with the approach, notably the reliance on ERYC to assess inter-project cumulative effects and provide mitigation. The ES should provide a full inter-project cumulative effect assessment, in line with best practice guidance.

3.5 Built Heritage

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Table 10-2	Non-designated built heritage assets / Grade II listed buildings outside the 1km study area – construction and operation phases	The Scoping Report proposes to scope out non-designated built heritage assets and Grade II listed buildings, beyond 1km of the site boundary during construction and operation phases on the basis that it is unlikely that noise, vibration and visual effects from the construction of the proposed development would be felt at this distance. While the Inspectorate agrees that impacts from noise and vibration are unlikely to be significant at this distance, the Inspectorate does not agree that this matter can be scoped out entirely as setting effects can be felt on non-designated built assets beyond 1km. Therefore, relevant assets should be scoped in.
35.2	Table 10-2	All built heritage assets within the cable search area – operation phase	The Scoping Report proposes to scope out all built heritage assets within the cable search area during operation on the basis that the proposed development is situated below ground, and therefore would not affect the setting of assets within the search area. The Inspectorate agrees this matter can be scoped out.
35.3	Table 10-2	All built heritage assets within 1km of the cable search area – operation phase	The Scoping Report proposes to scope out all designated built heritage assets within 1km of the cable search area during operation on the basis that the proposed development is situated below ground, and therefore would not affect the setting of assets within the search area. The Inspectorate agrees this matter can be scoped out.
35.4	Table 10-2	All non-designated built heritage assets within 1km of the cable search area – operation phase	The Scoping Report proposes to scope out all non-designated built heritage assets within 1km of the cable search area during operation on the basis that the proposed development is situated below ground, and therefore would not affect the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			setting of assets within the search area. The Inspectorate agrees this matter can be scoped out. Although the Scoping Report does not specifically address non-designated heritage assets located within the cable search area during operation, the Inspectorate considers that operational effects on such assets are also unlikely given the below-ground nature of the infrastructure. The ES should nevertheless clearly confirm whether these assets have been scoped out of the assessment and provide appropriate justification for doing so.

ID	Ref	Description	Inspectorate's comments
355	Paragraph 10.7.8 and table 10-3	Decommissioning	Paragraph 10.7.8 of the Scoping Report identifies there are potential impacts to the setting of built heritage assets during the decommissioning phase, however, no reference is made within table 10-3 to the scope of the assessment of the decommissioning phase of the proposed development. The ES should fully assess all LSE of the decommissioning of the proposed development on affected receptors, within an appropriate study area, to be agreed with the relevant statutory bodies. It is also unclear from table 10-3 whether direct and / or indirect effects have been included within the scope of the ES. The ES should state the nature of the effect.
356	Paragraph 10.8.6 and table 10-4	Criteria for assessing significance of effects	HE has raised concerns (appendix 2 of this Opinion) with the proposed criteria for assessing the value of heritage assets contained in table 10-4 of the Scoping Report. The applicant should make efforts to agree the criteria with HE and other relevant consultation bodies. If the applicant's criteria for assessing significance of an asset deviates from the advice it has received, the ES should explain why and provide justification based on relevant evidence and professional opinion.

3.6 Landscape and Visual

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
36.1	Table 11-1	Changes to the special qualities of proposed Yorkshire Wolds National Landscape – all phases	The Scoping Report proposes to scope out effects from changes to the special qualities of the proposed Yorkshire Wolds National Landscape on the basis that it is located approximately 10 km from the proposed development. Whilst distance is a relevant consideration, the potential for effects on designated landscapes is also influenced by factors such as the scale and nature of the proposed development, topography, visibility, the potential for long-distance views and cumulative effects. On the information provided, it is not clear whether effects on the special qualities of the proposed Yorkshire Wolds National Landscape can be robustly scoped out. The ES should therefore provide further justification (for example, with reference to the proposed zone of theoretical visibility (ZTV) mapping) for any decision to scope out this receptor or, where a pathway for effects cannot be discounted, include an assessment of LSE.
362	Table 11-1	Changes to the character of National Character Areas (NCA) – all phases	The Inspectorate agrees to the approach of using NCA to provide context for the assessment of significant effects in line with the 'Guidelines for Landscape and Visual Impact Assessment, Third Edition' (GLVIA3). The Inspectorate agrees that this receptor may be scoped out of the assessment of LSE.
363	Table 11-1	Lighting - construction and decommissioning phases	The Scoping Report proposes to scope out the effects of lighting during construction and decommissioning phases, due to its temporary and specific nature. An outline Lighting Strategy will be prepared and submitted alongside the DCO application, to include the following commitment: task specific lighting would be used during construction and decommissioning to enable works within sheltered parts of the site

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			boundary and works during hours of darkness within the agreed typical working hours, or otherwise in exceptional circumstances Provided that the above control measures are secured in the draft DCO (dDCO), and that lighting is considered as part of the wider assessment of landscape and visual impacts (for example, relating to tranquillity), the Inspectorate is in agreement that an assessment of lighting during construction and decommissioning phases can be scoped out. The applicant's attention is drawn to the consultation response from ERYC (appendix 2 of this Opinion) for further information on this topic.
364	Table 11-1	Lighting – operation phase	The Scoping Report proposes to scope out the effects of lighting during operation phase, due to its temporary and specific nature. The Scoping Report contains the following commitments: • the BESS and substation compounds will not be permanently lit • external lighting will be mounted on columns up to 10m high • task specific lighting will be used in the case of emergency works • passive Infra-Red controlled lighting will be used where access is required outside of working hours • where internal lighting is used within control buildings, light spillage will be controlled • closed-circuit television (CCTV) installed along the perimeter of the solar photovoltaic area will not require visible lighting Provided that the above control measures are detailed within the project description chapter of the ES, secured in the dDCO, and that lighting is considered as part of the wider assessment of landscape and visual impacts (for example, relating to tranquillity), the Inspectorate is in agreement that an assessment of

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			lighting during operation phase can be scoped out. Evidence of agreement with relevant statutory bodies following confirmation of the design should be included in the ES. The applicant's attention is drawn to the consultation response from ERYC (appendix 2 of this Opinion) for further information on this topic.
365	Table 11-1	Changes to views and visual amenity of people engaged in outdoor recreation which does not depend upon the appreciation of views of the landscape	The Scoping Report proposes to scope out this receptor on the basis that no receptors engaged in outdoor sport or recreation which depend on appreciation of views of the landscape have been identified within or immediately adjacent to the site boundary, with the exception of Risby Park Fishing Ponds. According to GLVIA3, these receptors are less sensitive to change. Whilst the Inspectorate considers that this rationale is acceptable in principle, it would highlight that GLVIA3 states that the sensitivity of these receptors is not black and white. The ES should therefore consider the potential for receptors that would meet these criteria but would be considered as more sensitive (e.g. cricket pitches) and provide an assessment where significant effects are likely to occur. Each receptor should be discussed and agreed with the relevant consultation bodies. The ES should confirm which phase of the proposed development this relates to. The applicant's attention is drawn to the ERYC Landscape Officer response (appendix 2 of this Opinion) for further information on this topic.

ID	Ref	Description	Inspectorate's comments
366	Paragraph 11.5.5	Viewpoints	The Scoping Report states that representative viewpoints will be identified using ZTV mapping and further fieldwork. The ES should justify the location of viewpoints, ensuring these capture a worst-case scenario of impacts from the proposed development and are representative of visual receptors. Efforts should

ID	Ref	Description	Inspectorate's comments
			be made to agree the number and location of viewpoints with relevant consultation bodies including local authorities, HE and NE.
36.7	Paragraph 11.5.7	Photomontages	The Scoping Report states that photomontages will be produced to illustrate the extent and nature of changes in baseline views. The ES should justify the location of photomontages, ensuring these are representative of the maximum visual envelope of the proposed development. The applicant should seek agreement from relevant statutory bodies regarding the appropriateness of selected photomontages and evidence of this agreement should be provided within the ES. The photomontages should show all components of the proposed development, and demonstrate the proposed development before and after mitigation in order to enable a worst-case scenario to be fully understood.
36.8	Table 11-3	Recreational receptors	Table 11-3 notes that recreational receptors will be scoped into the EIA. It is not clear whether the scope of the assessment only includes users of public rights of ways (PRoWs) which currently traverse through or adjacent to the site, and / or users of temporarily diverted PRoWs. For clarity, the Inspectorate considers that there is potential for visual impacts to users of temporarily diverted PRoWs during construction and decommissioning of the proposed development. As such, the ES should assess the visual impacts to users of temporarily diverted PRoWs or provide evidence demonstrating the absence of LSE and agreement with the relevant consultation bodies.
36.9	Paragraph 11.8.9	Assessment of effects – operation (Year 15)	The Scoping Report proposes to assess operational effects at year 15 during summer. This is not considered to represent the worst-case scenario, and adverse effects will not be fully considered. The Inspectorate recommends that winter conditions should also be used to identify any long-term effects without the benefit of screening from vegetation. The applicant's attention is drawn to the consultation response from ERYC (appendix 2 of this Opinion) for further information on this topic.

3.7 Transport and Access

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Table 12-2	Traffic impacts with hazardous loads	The Scoping Report proposes to scope this matter out of the assessment as no hazardous loads are anticipated as part of the proposed development. The report does note that where large scale high voltage component loads are required for the electrical grid connection, these will be delivered as abnormal indivisible loads which will be included in the traffic assessment. The Inspectorate is content with this approach.
37.2	Table 12-2	Operational traffic impact	The Scoping Report proposes to scope this matter out on the basis that the operational phase of the proposed development is unlikely to generate traffic outside of maintenance trips and unlikely to be of a level to trigger the relevant assessment thresholds. The Scoping Report states that this approach was agreed with ERYC highways team. The Inspectorate is content with this approach and agrees to scope this matter out. However, the ES project description should confirm the anticipated trip generation (including number and type of vehicles) required for maintenance visits during operation to justify this.

ID	Ref	Description	Inspectorate's comments
37.3	Figures 12-1 to 12-4	Study area	The ES should clearly define the study area in agreement with the local highway authority, identify all affected routes, including construction access routes and heavy goods vehicle (HGV) corridors and provide robust baseline data, including traffic flows, junction capacity and safety records. A map or plan should be provided detailing the affected roads.

ID	Ref	Description	Inspectorate's comments
			The applicant's attention is drawn to the consultation response from ERYC (appendix 2 of this Opinion).

3.8 Carbon and Climate Change

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
38.1	Paragraph 13.6.2	Minor greenhouse gas (GHG) emissions sources, provided they would contribute less than 1% of the proposed development's lifetime GHG emissions	The Scoping Report proposes to scope out GHG emissions sources that contribute less than 1% of the proposed development's lifetime emissions. The Institute of Sustainability and Environmental Professionals (ISEP) Guidance on Assessing GHG Emissions and Evaluating their Significance states that this applies where such emissions total a maximum of 5% of total emissions, and that emissions should be clearly stated. The Inspectorate is content with this approach, provided that sufficient evidence and justification to demonstrate that any emission sources excluded from detailed quantification meet the criteria set out in the ISEP Guidance.
382	Paragraph 13.11.2	Impact of increased snow and ice on the proposed development – all phases	The Scoping Report proposes to scope out the impact of increased snow and ice on the proposed development. Insufficient information is provided within the Scoping Report to evidence whether the UK Climate Projections 2018 (UKCP18) projections of snow and ice in this region are sufficiently low to ensure no LSE. Should further detail be provided in the ES to justify this conclusion, the Inspectorate is content that this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
38.3	Paragraph 13.4.8	Peat deposits	The Inspectorate notes the EA's response that both the northern land parcel and northern part of the cable search area are located within areas identified as deep peaty soils on the Peaty Soils Map (2008). Considering the proposed development has the potential to disturb peat soils and impacts on carbon, the ES should demonstrate how effects on peat deposits have been avoided and where this is not

ID	Ref	Description	Inspectorate's comments
			possible, the ES should include an assessment of the LSE arising from peat disturbance. The applicant is directed to the consultation response from EA (appendix 2 of this Opinion) for further information.
384	Paragraph 13.6.3	Assessment of LSE (GHG assessment)	The Scoping Report contains a very high level description of the scope of the GHG assessment which will be contained within the ES. The Inspectorate agrees with the high level effects identified, however it is lacking in detail relating to the specific impacts which are scoped into the assessment. Details of the specific receptors and scope of the assessment impacts should be agreed with the relevant statutory bodies, and the agreement should be evidenced in the ES.
385	Paragraph 13.11.3	Assessment of LSE (Climate change resilience and adaptation (CCRA) assessment)	The Scoping Report contains a very high level description of the scope of the CCRA assessment which will be contained within the ES. The Inspectorate agrees with the high level effects identified, however it is lacking in detail relating to the receptors and specific impacts which are scoped into the assessment. The detailed scope of the assessment should seek to agree with the relevant consultation bodies with any agreement should be evidenced in the ES.
386	Paragraphs 13.12.4 and 13.12.5	Methodology (CCRA)	The Scoping Report does not provide a description of the methodology to be used in the CCRA assessment. The ES should explain how the climate change resilience impacts have been identified and the methodology that will be used to determine the significance of effects. Any use of professional judgement to assess significance should be fully justified within the ES.
387	Paragraph 13.12.13	Cumulative assessment (CCRA)	The Scoping Report suggests that a cumulative effects assessment is not applicable to the CCRA assessment, as the assessment considers the impact of climate change on the proposed development, as opposed to the impact of the proposed development on climate change. The Inspectorate disagrees with this approach, and the ES should consider how other developments cumulatively may affect the vulnerability of the proposed development to climate change such as any

ID	Ref	Description	Inspectorate's comments
			changes in flood flows. The applicant should seek to agree the approach to the climate change cumulative effects assessment with relevant statutory bodies.

3.9 Noise and Vibration

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.1	Table 14-3	Construction traffic noise	The Inspectorate notes that approximately 80 HGV and 130 light goods vehicle (LGV) daily traffic movements are predicted during the construction phase. In the absence of information to demonstrate that traffic movements will not exceed relevant thresholds for further assessment, the Inspectorate is not content to scope out noise from traffic movements during construction. The ES should provide information on trip generation, traffic routing, noise emissions and distances from receptors including any measures that are to be secured to avoid or reduce LSE.
39.2	Table 14-3	Construction traffic vibration	The Scoping Report proposes to scope this matter out of the assessment as the applicant considers the proposed construction traffic route is likely to already carry HGVs, so any additional construction movements are unlikely to generate levels of vibration that are different from those already experienced. The applicant also states the roads used by construction traffic are assumed to have a well-maintained surface and would not be a significant source of vibration. The Inspectorate notes that sensitive receptors within the cable corridor have not been identified and it is therefore unclear if the vibration from construction traffic serving this aspect of the proposed development may result in significant effects. In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope these matters out from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating the absence of LSE and agreement with the relevant consultation bodies.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
393	Paragraph 14.7.2	Operational traffic noise and vibration	The Scoping Report proposes to scope this matter out as the operational phase of the development is unlikely to generate traffic outside of maintenance trips, which will be limited due to the nature of the project. Considering the characteristics of the proposed development, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES project description should confirm the anticipated trip generation (including number and type of vehicles) required for maintenance visits during operation to justify that there would be no increase in traffic noise levels above thresholds in relevant guidance.
394	Paragraph 14.7.2	Operational noise from tracking panel motors	The Scoping Report proposes to scope this matter out on the basis that operational noise effects from tracking solar panel motors are anticipated to be insignificant due to their slow operation. On this basis, the Inspectorate is content that this matter can be scoped out of further assessment.
395	Paragraph 14.7.2	Operational noise from underground power transmission cable	The Scoping Report proposes to scope this matter out as the underground power transmission cable will be wrapped in insulation and dampened by the soil, and will therefore produce negligible levels of airborne noise. On this basis, the Inspectorate agrees to scope this matter out.
396	Paragraph 14.7.2	Operational noise from maintenance	The Scoping Report proposes to scope this matter out as the potential noise levels arising from the maintenance of the proposed development is considered to be equivalent to any agricultural works present in the area. The Inspectorate agrees that this matter can be scoped out.
397	Paragraph 14.7.2	Operational vibration	The Scoping Report proposes to scope this matter out as the proposed development will not make use of any plant or equipment that generates significant vibration levels during operation. The Inspectorate agrees that this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
398	Paragraph 14.3.8	Baseline noise survey locations	Paragraph 14.3.8 of the Scoping Report states that baseline noise survey data will be collected across the proposed development site. The ES should explain how baseline noise monitoring locations were identified and determined to be representative, with reference to relevant information including noise modelling or contour mapping. The location of monitoring locations should be depicted on a supporting plan.
399	Section 14.5	Receptors	The Scoping Report states that a number of residential properties have been identified as receptors within the study area, however there is no indication that other types of sensitive receptors would be assessed. Whilst it is noted that consultation will be undertaken with ERYC and therefore the receptors are not yet finalised, the applicant should consider the potential for the proposed development to impact on human, landscape, cultural heritage and ecological receptors within the study area.

3.10 Human Health

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 15-3	The following health related behaviours during all phases: • physical activity • risk taking behaviour • diet and nutrition	The Scoping Report proposes to scope out an assessment of the physical activity health determinant for all phases, as the potential impacts will be considered in the human health ES chapter under the open space, leisure and play health determinant instead. The Inspectorate is content with this approach. The Scoping Report proposes to scope out an assessment of risk-taking behaviours on the basis that all on-site personnel would be professional workers, and all contractors and operators on-site would have strict health and safety protocols enforced. The Inspectorate is content to scope this matter out of further assessment. The Scoping Report proposes to scope out an assessment of impacts from diet and nutrition, including access to healthy affordable food as the agricultural land loss resulting from the proposed development has not been identified as having a key role in local affordable health food markets. Given the nature of the proposed development and the information provided within the Scoping Report, the Inspectorate agrees that significant effects are not likely and that these matters can be scoped out of further assessment.
3.10.2	Table 15-3	The following social environment effects: • housing and access to good quality affordable housing – all phases	The Scoping Report states that the proposed development will not result in the loss of any dwellings, potential housing demand from the operational workforce is not expected to be on a significant scale. It is stated that the proposed development does not involve any population displacement or relocation and would not require compulsory purchase of homes or community facilities. There would be minimal additional traffic generated on local roads during operation and this is unlikely to affect access to local public services and facilities. Health and safety measures are proposed to be in place which would limit the potential for impacts on community

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		• relocation – all phases • transport modes, access and connections, as well as links - operation phase • community safety – construction and operation phases • community identity, culture, resilience and influence – all phases • social participation, interaction and support – all phases	safety, including from crime. These are proposed to be secured through an oCEMP, outline Operational Environmental Management Plan (oOEMP) and outline Decommissioning Environmental Management Plan (oDEMP). The Scoping Report also states that the proposed development would not result in the loss or disruption of any indoor community assets or places used for voluntary, social or cultural participation. The Inspectorate agrees that these matters can be scoped out of further assessment provided that cross-references are made to other ES aspect chapters where appropriate.
3.103	Table 15-3	The following economic environment effects during all phases: • education and training • employment and income	The Scoping Report proposes to scope out education and training as the proposed development would not lead to any change in population or demand on schools and educational providers. Additionally, the Scoping Report states that working conditions can be appropriately managed through health and safety policies, following industry best-practice, and will operate equal employment policies. The Inspectorate is content with this approach and agrees to scope these matters out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.104	Table 15-3	The following bio-physical environment effects: • climate change mitigation and adaption - construction and decommissioning • air quality – all phases • water quality or availability – all phases • land quality and use – all phases • radiation – all phases	The Scoping Report proposes to scope out the assessment of climate change mitigation and adaptation during construction and decommissioning on the basis that climate altering emissions will not be produced on a scale that is likely to significantly impact public health. Additionally, the Scoping Report states that the carbon and climate change chapter of the ES will present an assessment of GHG emissions resulting from construction, operation and decommissioning and the impact of future climate change on the proposed development. On this basis the Inspectorate agrees to scope this matter out. The Scoping Report states that background air quality is below the legal limit set by the Air Quality Standards Regulations and any increase in traffic emissions from the proposed development are not expected to cause significant contributions to poor air quality. Dust generated through construction activities is also proposed to be managed via the oCEMP. The Scoping Report states that the proposed development will minimise water pollution risks and land pollution risks by adopting standard best practice. The Scoping Report states that long-standing exposure limit and health protection guidelines for electromagnetic fields (EMF) have been developed by International Commission on Non-Ionizing Radiation Protection (ICNIRP) and it is stated that the proposed development will comply with these guidelines. The Inspectorate agrees that these matters can be scoped out of further assessment provided that cross-references are made to other ES aspect chapters (for example, air quality, hydrology, land and groundwater chapters) where appropriate.
3.105	Table 15-3	The following institutional and built environment effects:	The Inspectorate agrees that the proposed development is not likely to create healthcare related effects on a scale that could significantly affect public health and this matter can be scoped out providing that the ES includes information to

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		- health and social care services – all phases - built environment – all phases - wider societal infrastructure - construction and decommissioning phases	demonstrate no LSE. The applicant's attention is drawn to the comments from ERYC in appendix 2 of this Opinion. The Scoping Report proposes to scope out public health effects associated with the built environment as the proposed development will operate appropriate waste management and utility diversions to prevent associated public health effects. The Scoping Report states that any crossing of existing power, gas, communications cables during construction will be managed to avoid interruption. The Inspectorate is content with this approach and agrees to scope this matter out. The Inspectorate agrees that the proposed development will not generate energy during the construction and decommissioning phases and is therefore unlikely to result in significant public health effects. This matter can be scoped out of the health assessment.

ID	Ref	Description	Inspectorate's comments
3.106	n/a	n/a	n/a

3.11 Socio-economics

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 16-1	Social change due to impact on upskilling and training – all phases	The Scoping Report proposes to scope out socio-economic conditions as a social determinant as it is expected that most proposed development workers will have existing experience and qualifications appropriate to their roles. The proposed development will include workforce training and upskilling, but such apprenticeships and upskilling will not be on a scale that is likely to significantly affect community social outcomes. On this basis, the Inspectorate agrees that this matter can be scoped out of the ES.
3.11.2	Table 16-1	The following effects relating to housing as a social determinant: • impact on homes or accommodation quality, supply, price or access - operation phase • impact on relocations or temporary housing – all phases • impact on spatial planning and	The Scoping Report states that no relocations are expected as part of the proposed development and the workforce during all phases of the development is expected to be drawn predominantly from the Labour Market Area and Labour Market Focus Area with normal patterns of construction worker commuting and use of overnight accommodation. Less than 50 workers are expected to be required during the operational phase of the proposed development and any change in demand for accommodation during operation is not likely to significantly affect community social outcomes. The Scoping Report also notes that whilst the proposed development affects land use, it does not change spatial planning or zoning designations in relation to current or future housing. On this basis, the Inspectorate agrees that these matters can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		zoning – all phases	
3.11.3	Table 16-1	The following effects relating to infrastructure as a social determinant during all phases: • impact on public and social services • impact on local community facilities and their financial revenues • impact on public utilities	The Inspectorate agrees that the nature of the proposed development means it will not result in a significant permanent increase in the local population. Therefore, it is unlikely to affect demand on school places and health services on a scale that could significantly affect community social outcomes. The Inspectorate also agrees that the proposed development is unlikely to impact community halls or public utilities due to the location and nature of the site. The Scoping Report also states that any diversions would be managed in accordance with standard good practice and discussion with relevant providers and service users. On this basis, the Inspectorate agrees that these matters can be scoped out.
3.11.4	Table 16-1	The following effects relating to people as a social determinant during all phases: • impact on migration or demographic change (including presence of temporary	The Scoping Report states that the proposed development is not expected to result in temporary or permanent changes to the local population and its demographic structure and is unlikely to significantly affect community social outcomes. The proposed development is not expected to change the capacities, rights or status of people and is therefore unlikely to significantly affect their degree of engagement with society. The Scoping Report acknowledges that the proposed development may create a sense of concern and uncertainty in the public however information will be provided by the applicant through the application process and consultation will be undertaken. The

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		workforces or gentrification) • impact on people's capacities to engage in society linked to levels of health, education, skills, care responsibilities or human rights • impact on people's outlook (public understanding)	Inspectorate agrees that any change in community outlook is unlikely to be on a scale that could significantly affect community social outcomes. On this basis, the Inspectorate agrees that these matters can be scoped out of the ES.
3.11.5	Table 16-1	The following effects relating to connectedness of community as a social determinant during all phases: • impact on community cohesion, severance and social networks • impact on community	The Scoping Report proposes to scope out effects relating to connectedness of community as a social determinant for all phases. Table 16-1 of the Scoping Report states that although the proposed development may affect a number of routes, significant severance within or between communities is not anticipated and disruption to community cohesion, social networks or social outcomes is therefore unlikely. An Outline Public Right of Way Management Plan (oPRoWMP) will be prepared to explain how PRoW will be managed so they can continue to operate during construction, operation and decommissioning, while effects relating to public access to outdoor spaces and routes are considered separately. The Scoping Report also states that management plans secured through the DCO would address safety, hazards, security and crime through measures such as fencing, unobtrusive lighting and CCTV, and that no impacts on volunteering or inter-generational participation are expected. Overall, the applicant

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		interactions linked to safety, hazards, security and crime • impact on volunteering and inter-generational participation, including linked to empowerment and representation in decision-making	considers that any changes would not be on a scale likely to significantly affect community social outcomes. The Inspectorate agrees that, given the nature of the proposed development and the mitigation measures to be secured through the relevant management plans, these matters can be scoped out of further assessment.
3.11.6	Table 16-1	The following effects relating to culture as a social determinant during all phases: • impact on cultural identity, including linked to buildings, structures and events • impact on place identity, including wider cityscape, seascape or	The Scoping Report states that impacts on both cultural and place identity will be appropriately assessed where relevant within other aspects of the ES including archaeology, built heritage and landscape and visual. The Inspectorate agrees that any impacts are not likely to be of a scale to significantly affect community social outcomes and on this basis these matters can be scoped out provided that cross-references are made to other ES aspect chapters where appropriate. There are no expected impacts from the proposed development on minority languages and the Inspectorate agrees to scope this matter out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		landscape aesthetics • impact on minority languages protected in policy	
3.11.7	Table 16-1	The following effects relating to nature as a social determinant during all phases: • impact on biodiversity and natural capital affecting experiences of wildlife and natural habitats • impact on community gardens and parks (quantity, quality and access) affecting attitudes to and levels of engagement with nature	The Scoping Report states that wellbeing and nature connection could be locally affected by activities associated with the proposed development, but that embedded design, management plans and mitigation would be in place to minimise adverse effects. As a result, any impact on the experiences of wildlife and natural habitats is unlikely to significantly affect community social outcomes. The Scoping Report does note that this matter is included in the assessment on biodiversity where relevant. The Inspectorate agrees to scope this matter out of the socio-economics assessment of the ES provided that cross-references are made to other ES aspect chapters where appropriate. The proposed development is not expected to result in direct or indirect impacts to community gardens or parks to an extent that could significantly affect community social outcomes. Whilst Risby Park is identified as being encompassed by the proposed development site the applicant notes that the park benefits from woodland that provides screening. The Inspectorate agrees this matter can be scoped out of the socio-economics assessment in the ES. The Inspectorate agrees that any potential impacts on natural resource availability to communities are not likely to be on a scale that could significantly affect community social outcomes and agrees to scope this matter out of the socio-economics assessment in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		impact on natural resource availability, or traditional knowledge, relating to local farming, growing, foraging or freshwater	
3.11.8	Table 16-1	The following effects relating to the living environment as a social determinant during all phases: - impact of pollution or nuisance affecting - impact on wider living environment quality due to climate change or the circular economy	The Scoping Report proposes to scope this matter out of the socio-economics assessment as any impact on the local living environment is unlikely to be on a scale that could result in significant effects on social outcomes. The Scoping Report states that potential impact from pollution or nuisance would be assessed in relevant aspect chapters. The Inspectorate is content with this approach and agrees to scope this matter out of the socio-economics assessment in the ES. The Inspectorate agrees that the proposed development is unlikely to impact living environment quality on a scale that could significantly affect community social outcomes and agrees to scope this matter out of the socio-economics assessment in the ES.

ID	Ref	Description	Inspectorate's comments
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3.11.9	n/a	n/a	n/a
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3.12 Air Quality

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matter to scope out	Inspectorate's comments
3.121	Table 17-3	Construction dust	The applicant proposes to scope out effects relating to construction dust, including cumulative effects, on the basis that good practice dust management measures will be enforced via an oCEMP, informed by a risk assessment. The Scoping Report states that other developments within 500m will also adopt appropriate dust management measures, and that liaison meetings will be held to coordinate efforts to minimise impacts on the most sensitive receptors. The Inspectorate does not consider that sufficient information has been provided at this stage regarding the location of potential dust sensitive human or ecological receptors, and the anticipated duration of activities, to support scoping out dust emissions during construction alone or cumulatively. An assessment of dust impacts that conforms with relevant guidance (for example, the Institute of Air Quality Management (IAQM)) on construction dust should be provided to demonstrate that mitigation measures proposed are appropriate for the scale of effects. Sensitive receptors within 250m of the affected road network should be identified in addition to those within 250m of the site. Mitigation measures should be agreed with relevant consultation bodies, and evidence of this agreement should be included in the ES. The ES should provide an indication of the location and nature of other relevant developments within 500m which have overlapping construction periods (where known), as well as an identification of the sensitive receptors that must be considered. The oCEMP should contain measures which appropriately mitigate any cumulative effects, including monitoring measures.
3.122	Table 17-3	On-site construction plant	The applicant proposes to scope out effects relating to emission from non-road mobile machinery (NRMM) during construction phase owing to the size of the site,

ID	Ref	Applicant's proposed matter to scope out	Inspectorate's comments
			and that plant is likely to be located more than 50m from sensitive receptors. They will be managed via the oCEMP and outline Construction Traffic Management Plan (oCTMP). The Inspectorate agrees that emissions from construction phase NRMM can be scoped out, provided that a commitment is made to ensure plant is not located within 50m of sensitive receptors, and that information on the type, quantity, duration and location of NRMM is provided within the ES to demonstrate that this would not result in LSE.
3.123	Table 17-3	Construction road traffic	The Scoping Report sets out the proposed approach to establishing whether construction road traffic is expected to produce LSE. Until a clearer understanding of traffic generation from the proposed development is confirmed (including number, type and route for vehicles), and the subsequent second stage of the screening has been undertaken, the Inspectorate cannot agree to scope out this matter. Following completion of the second stage of the screening exercise, the applicant should agree the scope and approach of the assessment (including any quantitative modelling) with the relevant consultation bodies. The ES should provide the results of the screening exercise and modelling (if required) to evidence why LSE are not likely to occur. Reference should be made to both ecological receptors and human receptors.
3.124	Table 17-3	Operational road traffic	The Scoping Report proposes to scope out effects relating to operational road traffic, as the number of traffic movements is likely to fall below the screening thresholds for a detailed air quality assessment. The Inspectorate agrees that this matter can be scoped out, provided that the ES can demonstrate that the traffic flows (including number, type and route for vehicles) during operation will be beneath the IAQM thresholds for further assessment.

ID	Ref	Applicant's proposed matter to scope out	Inspectorate's comments
3.125	Table 17-3	Operational unplanned BESS emissions	The Scoping Report proposes to scope out effects relating to unplanned BESS emissions, as an assessment of the unplanned emissions will be included in an outline Battery Safety Management Plan (oBSMP). The Inspectorate agrees that this matter can be scoped out on the basis that assessment would be provided in the oBSMP.
3.126	Table 17-3	Operational land use	The Scoping Report proposes to scope out effects relating to operational land use, as there are potential air quality benefits from the reduction in agricultural processes on the site. Given the nature of the proposed development, the Inspectorate agrees that this matter can be scoped out of further assessment.
3.127	Table 17-3	Decommissioning dust	The Scoping Report proposes to scope out effects relating to the generation of dust during the decommissioning phase, as good practice dust management measures will be enforced via an oDEMP, informed by a risk assessment. The scale of works is smaller than for construction. The Inspectorate agrees that this matter can be scoped out, subject to the provision of appropriate mitigation measures contained within an oDEMP, as well as a risk assessment which has been undertaken in line with relevant guidance and confirms that there is no potential for significant effects.
3.128	Table 17-3	On-site decommissioning plant	The Scoping Report proposes to scope out effects relating to emissions from NRMM during the decommissioning phase, owing to the size of the site, and that plant is likely to be located more than 50m from sensitive receptors. The Inspectorate agrees that emissions from NRMM during the decommissioning phase can be scoped out, provided information on the type, quantity, duration and location of NRMM is provided within the ES to demonstrate that this would not result in LSE.

ID	Ref	Applicant's proposed matter to scope out	Inspectorate's comments
3.129	Table 17-3	Decommissioning road traffic	The Scoping Report proposes to scope out effects relating to road traffic during the decommissioning phase, as the number of traffic movements is likely to fall below the screening thresholds for a detailed air quality assessment. The Inspectorate agrees that this matter can be scoped out, provided that the ES can demonstrate that the traffic flows during the decommissioning phase will be beneath the IAQM thresholds for further assessment.

ID	Ref	Description	Inspectorate's comments
3.12.10	17.3.7	Baseline	The Scoping Report proposes to characterise baseline ambient air quality by way of a desk study. Figure 17-2 of the Scoping Report identifies the locations of local authority monitoring sites. The applicant should ensure that the baseline can be adequately characterised through a desk study, given the distance between the monitoring sites and the proposed development, and effort should be made to reach agreement with relevant consultation bodies, including the local authorities, as to whether any additional survey or monitoring work is required.
3.12.11	17.3.7	Location of receptors	The ES should be accompanied by an appropriate plan illustrating the location of sensitive human and ecological receptors within the vicinity of the proposed development to aid understanding of the extent of effects.

3.13 Land Quality and Groundwater

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	Table 18-2	Effects on human health from construction, operation and demolition dust and contamination via oral, dermal and inhalation exposure during construction activities	Having considered the information provided within the Scoping Report, the Inspectorate agrees that significant effects on human health from exposure to contamination during operation are unlikely to occur and agrees to scope this matter out from further assessment. However, in relation to the construction and decommissioning phases, given that the Preliminary Risk Assessment (PRA) and the Technical Note for the refined cable route are yet to be produced, the Inspectorate does not consider there is sufficient evidence to scope this matter out at this stage. The ES should include an assessment of the effects of contamination on human health during the construction and decommissioning phases or provide evidence demonstrating the absence of LSE and agreement with the relevant consultation bodies.
3.13.2	Table 18-2	Effects on human health from any imported fill materials and soils and re-use of site-won materials during construction activities	Given that the PRA and the Technical Note for the refined cable route are yet to be produced, the Inspectorate does not consider there is sufficient evidence to scope this matter out at this stage. The ES should include an assessment of the effects on human health from any imported fill materials, soils and the re-use of site-won materials during construction activities or provide evidence demonstrating the absence of LSE and agreement with the relevant consultation bodies.
3.13.3	Table 18-2	Effects of contamination of groundwater (Secondary A and Undifferentiated Aquifers and Principal Aquifers) from soil disturbance which may lead to mobilisation of any	The Scoping Report proposes to scope these matters out on the basis that construction, operational and decommissioning activities would be controlled by the oCEMP, oOEMP and oDEMP. The Scoping Report also states that detailed drainage design, SWDS and flood risk assessment will ensure appropriate surface water run-off management.

		residual contamination. Potential for new contamination pathways from construction, maintenance and demolition activities including excavation works, installation and removal of infrastructure, foundations, drainage and possible dewatering and accidental spills or leaks of fuels, oils and chemicals during operation and refuelling	In the absence of information such as detailed design and identified mitigation measures, the Inspectorate is not in a position to agree to scope these matters out from the assessment. Accordingly, the ES should include an assessment of these matters, or the information referred to demonstrating the absence of LSE and agreement with the relevant consultation bodies.
3.134	Table 18-2	Effects of contamination on surface water, including potential for sediment and surface water runoff during construction, maintenance and demolition works to impact surface watercourses	
3.135	Table 18-2	Effects on current and future built environment including buildings and infrastructure via direct contact with soil or groundwater and chemical attack	The Scoping Report proposes to scope this matter out on the basis that detailed design will ensure appropriate design of buildings and infrastructure and that agreed auditing or maintenance of buildings and infrastructure will form part of the oOEMP. In the absence of information such as detailed design and identified mitigation measures, the Inspectorate is not in a position to agree to scope this matter out from the assessment. Accordingly, the ES should include an assessment of this matter during construction and operation phases, or the information referred to

			demonstrating the absence of LSE and agreement with the relevant consultation bodies.
3.136	Table 18-2	Effects of contamination on ecological receptors during construction and operation	The Scoping Report proposes to scope this matter out on the basis that an oLEMP will be implemented during construction and operation to ensure potential wider risks to on and off-site vegetation and ecological receptors are managed. In the absence of information such as detailed design and identified mitigation measures, the Inspectorate is not in a position to agree to scope this matter out from the assessment. Accordingly, the ES should include an assessment of this matter, or the information referred to demonstrating the absence of LSE and agreement with the relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
3.137	Paragraph 18.3.3	Study area	The Scoping Report states that a study area of 250m from the northern and southern land parcels and cable search area is considered suitable for identifying land and soil-related receptors, while a 1km buffer is considered appropriate for controlled waters' receptors. No justification is presented for the selection of these areas. The ES should explain the basis on which the final study area has been selected. This should be informed by an understanding of the predicted Zol of the proposed development rather than a generic geographical distance. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) for further information.
3.138	Paragraph 18.4.1	Receptors	The Inspectorate notes the EA's comments (appendix 2 of this Opinion) regarding sensitive groundwater receptors that have not been identified or addressed within the Scoping Report. See ID 3.2.4 of this Opinion.
3.139	Paragraph 5.2.30	HDD	The Scoping Report describes that HDD may be used. This has not been discussed in the context of groundwater and land contamination. The ES should

			confirm where HDD will be employed. Where HDD has the potential to impact groundwater or take place in land affected by contamination, appropriate mitigation, such as measures to be included in a drilling fluid breakout plan, should be described in the ES and appropriately secured.
3.13.10	n/a	Heat pollution	The ES should include consideration of heat pollution released from cables as a potential risk to groundwater and groundwater dependent terrestrial ecosystems. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) for further information.
3.13.11	n/a	Effects on groundwater flow	The ES should include consideration of effects on groundwater flow. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) for further information.

3.14 Glint and Glare

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.14.1	Table 19-1	Glint and glare aspect	The applicant proposes to scope out a glint and glare chapter from the ES, however a standalone glint and glare assessment is proposed to be submitted as a technical appendix to the ES. The Inspectorate is content with this approach, however the standalone glint and glare assessment should assess the worst-case scenario and provide a description of any relevant mitigation or design measures and safety considerations. In the event that glint and glare effects are identified, the assessment should be used to inform the relevant chapters in the ES, in particular the LVIA aspect chapter.

ID	Ref	Description	Inspectorate's comments
3.142	n/a	n/a	n/a

3.15 Material Assets and Waste

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.15.1	Table 19-1	Material assets and waste during all phases	The applicant proposes to scope out a material assets and waste chapter from the ES. The Scoping Report confirms that the ES will outline measures to minimise waste and that an outline Site Waste Management Plan (oSWMP) is proposed to be submitted as part of the DCO application to manage waste. An oCEMP, oOEMP and oDEMP will also be submitted as part of the DCO application. These documents will set out how waste arising during the construction, operational and decommissioning phases will be managed, including mitigation measures for construction waste and opportunities for re-use and recycling. The Scoping Report also acknowledges that some indirect impacts associated with materials consumption and waste disposal will be assessed elsewhere within the ES. The Inspectorate agrees that a standalone chapter on waste is not required within the ES. However, the Inspectorate is not content to scope this aspect out. The ES should still contain a description of the potential waste streams for all phases of the proposed development. This should include estimated volumes, by type and quantity, of expected residues and emissions and quantities and types of waste produced, and an assessment of the LSE. If off-site disposal is required, an assessment of LSE including cumulative effects should be included within the ES.

ID	Ref	Description	Inspectorate's comments
3.152	n/a	n/a	n/a

3.16 Major Accidents and Disasters

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.16.1	Table 19-1	Major accidents and disasters (MA&D) during all phases	The Scoping Report proposes to scope out MA&D. Table 19-1 of the Scoping Report describes possible MA&D events that the applicant considers could be relevant to the proposed development. It identifies a number of events that are proposed to be scoped out of further assessment and the reasons for that approach. The Inspectorate notes that certain potential risks arising due to the proposed development are considered in other aspect chapters (for example flood risk and glint and glare). The Inspectorate has considered the characteristics of the proposed development and is content with this approach. However, the ES should clearly signpost where these risks are assessed in other chapters and where any relevant mitigation measures are secured, if required. The Inspectorate notes that an oBSMP is proposed to be submitted with the DCO application. The Inspectorate expects that information on the fire risk associated with battery storage facilities and relevant mitigation, such as fire-fighting, emission and containment measures on the environment should be set out in the oBSMP. The Inspectorate agrees that the probability, likelihood and frequency of a MA&D is very low with respect to the proposed development and is satisfied that they would be managed under established legislative requirements, the design process or mitigation measures and management plans. As such, the Inspectorate agrees that significant effects relating to MA&D are unlikely and this matter can be scoped out of the ES.

ID	Ref	Description	Inspectorate's comments
3.16.2	n/a	n/a	n/a

3.17 Heat and Radiation

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.17.1	Table 19-1	Heat and radiation – all phases	The Scoping Report proposes to scope out an assessment of impacts from heat and radiation during construction, operation and decommissioning as no significant sources of heat and radiation are anticipated due to the scale and nature of the proposed development. The Scoping Report acknowledges that the only potential source of localised thermal change relates to buried electrical cables during operation, which are proposed to be buried at a sufficient depth below ground and away from sensitive receptors to prevent LSE. The Inspectorate agrees that this aspect may be scoped out from further assessment, with the exception of potential heat effects on groundwater. See ID 3.13.9 of this Opinion.

ID	Ref	Description	Inspectorate's comments
3.172	n/a	n/a	n/a

3.18 Electric, magnetic and electromagnetic fields

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.18.1	Table 19-1	EMF aspect	The Scoping Report proposes to scope out an EMF chapter from the ES, however, a standalone EMF report is proposed to be submitted as part of the DCO application. The Scoping Report states that 400 kilovolt (kV) cabling will be required to connect the proposed on-site substation(s) to the National Grid Creyke Beck Substation extension, Wanlass Beck, and both underground and overhead options are being considered. As this cabling will be above 132kV, the standalone EMF report should include the location, routing and voltages of these cables and a risk assessment to any human and ecological sensitive receptors within the Zol. The Inspectorate agrees that a standalone chapter on EMF is not required within the ES. However, the Inspectorate is not content to scope this aspect out. The proposed EMF report should be used to inform the assessment of LSE and mitigation measures in any relevant aspect chapters of the ES to assess potential effects on both human and ecological receptors. The ES should clearly cross-reference where significant effects from EMF are reported and assessed.

ID	Ref	Description	Inspectorate's comments
3.182	n/a	n/a	n/a

3.19 Wind Micro-climate

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.19.1	Table 19-1	Wind micro-climate	The Scoping Report proposes to scope out impacts from wind micro-climate on the basis that the low-rise panels are not likely to impact the wind conditions. Having considered the characteristics of the proposed development, the Inspectorate is content that significant effects are not likely to occur due to the nature of the proposed development. The Inspectorate agrees that this aspect can be scoped out.

ID	Ref	Description	Inspectorate's comments
3.192	n/a	n/a	n/a

3.20 Lighting

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
320.1	Table 19-1	Lighting – all phases	The Scoping Report proposes to scope out a standalone lighting chapter from the ES on the basis that design and mitigation requirements would be considered within other aspect chapters. The Inspectorate is content with this approach. The ES should include a description of the construction and operational lighting design and the measures proposed to avoid or minimise impacts on human and ecological receptors. Where relevant, lighting effects should be assessed within the relevant aspect chapters, and the ES should clearly cross-reference these assessments and any associated mitigation measures. Refer to ID 3.6.3 and 3.6.4 of this Opinion for further details.

ID	Ref	Description	Inspectorate's comments
3202	n/a	n/a	n/a

3.21 Utilities

(Scoping Report Section 19)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
321.1	Table 19-1	Utilities	The Scoping Report states that existing utility infrastructure will be identified through utilities searches and consultation, and this information will inform the design of the proposed development to avoid impacts on receptors. The oCEMP will include mitigation measures to prevent interference with below-ground utilities during construction. The Inspectorate considers that insufficient evidence has been provided to scope this matter out. The ES should identify any receptors through consultation and desk-based assessment. Where utilities' diversions are required, these should be located and described in the ES along with any required mitigation measures. Potential impacts, including those arising from diversions or alterations in design, should be described and assessed where significant effects are likely to occur.

ID	Ref	Description	Inspectorate's comments
321.2	n/a	n/a	n/a

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council	Welton Parish Council
	South Cave Parish Council
	Rowley Parish Council
	Walkington Parish Council
	Bishop Burton Parish Council
	Cherry Burton Parish Council
	Wawne Parish Council
	Market Weighton Parish Council
	Middleton-on-the-Wolds Parish Council
	Lund Parish Council
	Lockington Parish Council
	Tickton and Routh Parish Council
	Leven Parish Council
	Beswick Parish Council
	Watton Parish Council
	Hutton Cranswick Parish Council
	Ellerker Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Brantingham Parish Council
	Newbald Parish Council
	Sancton Parish Council
	Swanland Parish Council
	Kirk Ella & West Ella Parish Council
	Skidby Parish Council
	Cottingham Parish Council
	Molescroft Parish Council
	Woodmansey Parish Council
	Beverley Town Council
	Etton Parish Council
	Dalton Holme Parish Council
	Bainton Parish Council
	Leconfield Parish Council
	Brandesburton Parish Council
	Kirkburn Parish Council
	Skerne and Wansford Parish Council
	Driffield Town Council
	North Frodingham Parish Council
	Foston Parish Council
	Willerby Parish Council
The Environment Agency	Environment Agency
Natural England	Natural England
The Forestry Commission	Forestry Commission

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The relevant internal drainage board	Beverley and North Holderness Internal Drainage Board
The relevant Highways Authority	East Riding of Yorkshire Council Highways Department
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
NHS England	NHS England
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Police and Crime Commissioner for Humberside
The relevant ambulance service	Yorkshire Ambulance Service NHS Trust
The relevant fire and rescue authority	Humberside Fire and Rescue Service

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

‘Statutory undertaker’ is defined in The APFP Regulations (as amended) as having the same meaning as in section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	Yorkshire Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Road Transport	The Humber Bridge Board
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	Environment Agency
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited

STATUTORY UNDERTAKER	ORGANISATION
	ES Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Infra-Gas Limited
	National Gas
The relevant electricity generator with CPO Powers	Creyke Beck Power Limited
	Doggerbank Offshore Windfarm Project 1 - 4 Projco Limited
	Saltend Cogeneration Company Limited
	Orsted Hornsea Project Four Limited
The relevant electricity distributor with CPO Powers	Northern Powergrid (Northeast) Limited
	Northern Powergrid (Yorkshire) plc
	Advanced Electricity Networks Ltd
	AGR Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Edge Utility Networks Ltd
	Eclipse Power Distribution Limited
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Green Generation Energy Networks Cymru Ltd
	Grid Line Power Networks
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Sphere Energy Connect Ltd
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Energy System Operator

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 56A OF THE PA2008

LOCAL AUTHORITY
East Riding of Yorkshire Council
City of Doncaster Council
City of York Council
Hull City Council
North Yorkshire Council
North Lincolnshire Council

TABLE A4: THE MARINE MANAGEMENT ORGANISATION

Section 46(1)(b) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 45(5).

ORGANISATION
The Marine Management Organisation

TABLE A5:: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Hull and East Yorkshire Combined Authority

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Beswick Parish Council
East Riding of Yorkshire Council
Environment Agency
Fulcrum Pipelines Limited
Health and Safety Executive
Historic England
Kirkburn Parish Council
Lockington Parish Council
Marine Management Organisation
Ministry of Defence
National Gas
National Grid Electricity Transmission Plc
National Highways
NATS En-Route Safeguarding
Natural England
North Frodingham Parish Council
North Lincolnshire Council
Skidby Parish Council
Sphere Energy Connect Ltd
United Kingdom Health Security Agency
Walkington Parish Council
Watton Parish Council

Clean Air Solar Scoping Report Feedback July 2026

As a parish we OBJECT strongly to the proposal; not because we object to solar but because we object to solar in the wrong place, which in this instance is on productive agricultural land in a rural area with generations of farming heritage.

Having done our best to comprehend the contents of the report in such a short period of time, our response is detailed below:

We believe the document to be inaccurate with omissions and incorrect and illegitimate assumptions and do not see how this can be proposed as one single development. In the first instance, the Northern Sector was a 'bolt-on' to the Hornsea 4 Development as a means to utilise capacity and has now become the 'bolt-on' to the Southern Sector proposal. It is presumed that this has been actioned to take advantage of the new, fast track NSIP process included in the Planning and Infrastructure Act (2025) which is less explicit on the Consultation required for such proposals.

Our concerns are linked to the following:

1. Two Separate Proposals:

In 2.13 they state that:

'The land parcels are integral and complementary parts of the Proposed Development and are not stand alone or alternative sites'.

This is clearly not the case and the fact that the developer feels the need to claim this, is a clear indication that it is not a single proposal at all. Throughout the document, in every chapter heading, the significant differences between the Northern and Southern Parcels is abundantly evident. The two parcels of land are separated by approximately 6 miles at their closest points and 12 miles at their furthest.

The Northern Parcel is low lying, very flat, of mainly Grade 3a soil quality with 3b closer to the natural carr land. In contrast, the Southern Parcel is high lying, undulating because of it's position on the edge of the Yorkshire Wolds, sits on the East Yorkshire Chalk Aquifer and is 99% Grade 2 and 3a soil quality.

The Northern parcel sits adjacent to a number of flood zones and is indeed part of the drainage infrastructure for the Yorkshire Wolds, whilst the Southern Parcel sits directly above a Critical Drainage Area in England's second highest flood risk area outside London.

The Northern Parcel has fewer Buried or Built Heritage sites or buildings, whilst the Southern Parcel is covered by them, including a 74 acre Heritage Asset in it's centre which the Developer somehow believes will be incorporated in to the site.

These contrasting profiles will require quite separate and distinct technical solutions to every chapter heading, from Biodiversity (6) right through to Land Quality and Groundwater (18). We contest that the co-joining of these two completely separate parcels

of land in to one proposal is a cynical and perverted attempt by this developer to surreptitiously take advantage of the new planning process by making it impossible for local residents to present a single, coherent argument against key elements of the proposal.

The key stakeholders for each parcel are entirely different and the artificial combination of these two proposals represents a significant bias in all stages of the forthcoming Consultation and Assessment process towards the developer at the expense of local communities who are aghast that this proposal could even be submitted, never mind considered.

2. Lack of any Site Selection Criteria within Scoping Report:

There is a total lack of any reference as to why the two parcels of land have been identified in the first place. This omission is of critical importance as the report itself recognises the fact that the official ACL classification for the Southern Parcel is 99% Grade 2 and 3a and is clearly well within the definition of 'Best and Most Versatile' land. As such, there is a mandatory requirement for the developer to prove that a full investigation in to all other possible sites within a determined search area has been undertaken, including Grade 3b, 4 and 5 land, brownfield sites and other suitable places such as car parks, roofs of large buildings etc all of which are readily available in and around the Humber, Hull's neglected abandoned industrial areas and along roadside and rail corridors.

Despite repeated requests by this Parish as part of the Action Group for details of such searches since 12 May 2026, the developer has steadfastly refused to provide this information despite the following statement contained in their new information booklet: 'We undertook an extensive site selection process to identify locations which can support a large scale solar farm and are capable of maximising the amount of renewable clean energy that is needed in our grid connection agreement... following technical and environmental assessments, along with other considerations such as land ownership and deliverability, suitable locations were identified... and as a result of the assessment of suitable sites within the search area, the Northern and Southern land Parcels were identified as the most suitable locations.'

We strongly contest this statement and regard it as an attempt by this developer to get this proposal into the new process without completing this first, obligatory step.

The developer was directly asked by a numerous and wide range of people on all 3 Public Information Days to provide details of the search area and what locations were investigated, identified and discounted. There was a continual denial that this information was available.

However, several members of the Clean Air Team manning the various desks confirmed that the reason for the reduction of the 1000 acres from the Northern Parcel from the previous Kingfisher Proposal was due to some of the landowners either 'pulling out' or 'not playing ball' (their words). Furthermore, it was confirmed that the reason the land in the Southern Parcel was included in the proposal was to compensate for the reduced footprint of the Northern Parcel and that this could be done quickly and effectively by just

dealing with one, single large landowner who owns all of the land in the Southern Parcel and is already working collaboratively with the owners of the Northern Parcel.

We identify this as a fundamental breach of the whole NSIP process from the very outset. The Scoping Report must include reference to the investigation that was undertaken or how else will the basic, mandatory first step be properly and fairly assessed?

The developer will make significant additional profits with the inclusion of the Southern Parcel due to its close proximity to Creyke Beck and the new Wanlass Beck Substation. Parishioners and the Action Group strongly contest that a failure to acknowledge that this first, mandatory requirement has been deliberately avoided by this developer, will demonstrate that the weight of bias in the process is heavily in favour of the developer against the reasonable and deeply felt concerns of all local residents.

As a result, we would recommend that the report should be rejected.

3. The Non Statutory Information and Consultation Process:

Throughout this Scoping Report, there is a continual reference to the great efforts made by the developer to continue to engage with local residents, over and above what is required of them, including 'Information and Consultation' events with Parish Councils and three Public Information Days.

Whilst it is true that these events have taken place, the engagement was lacking in detail with many questions left unanswered and inconsistencies between personnel. The Parish Council has, via the Chair of the Action Group emailed Clean Air Solar seeking information on a wide variety of critical issues so that we, as complete novices, could enter in to some degree of informed dialogue at the Public Information Days. Indeed, their Information Booklet asserts that this is exactly the kind of dialogue and engagement they seek and desire. However, lack of response would show that Clean Air Solar did not intend providing details that would allow any kind of informed dialogue and that this would be a one way exercise of box ticking.

The fact that this Scoping Document was submitted either before or immediately after the last Public Information Day is testament to the fact they Clean Air Solar had this information all along and chose not to share it with key stakeholders in a cynical attempt to repress informed dialogue and engagement.

This can be supported by the initial information booklet not being sent to anyone in Beverley or Cottingham despite Clean Air Solar knowing that these areas would be heavily and badly affected; then arranging Public Information meeting in Beverley even though they had not told anyone about it. No interaction was attempted with the residents in Cottingham despite them being one of the most impacted group of residents. The timing of the three meetings was completely inadequate: weekdays from 3.00pm-7.00pm, thus eliminating those working and with children. No Saturday meeting and no evening. Webinars also exclude those who are not users of technology and even this was arranged at an inconvenient time.

Whilst Clean Air Solar may see the events as a success as approximately 500 people attended. We contest that this was largely due to the efforts of parishes and the Action Group to publicise them. Despite the efforts of locals to encourage as many people as possible to attend, 0.01% is not a success.

4. Chapter 7 – Hydration:

The biggest single concern we have in this Scoping Report is this whole chapter and it perfectly illustrates the three broad themes highlighted above. The casual assumptions made in this chapter as to what is to be included or excluded as part of this proposal are fundamentally flawed, and so incorrect that, if left unchallenged, would subsequently be seen as negligent. It demonstrates a total lack of awareness of the increased risk caused by the placement of a substantial solar farm on top of the East Yorkshire Chalk Aquifer above an area that is nationally designated a Critical Drainage Area. It assumes that the biggest risk is the flooding threat to the Northern Parcel as a result of its proximity to the nearby flood zone. There is NO acknowledgement of the academic and practical research which has clearly demonstrated that solar farms present a significant flood risk to adjacent land, particularly on sloping terrain. Indeed, this Scoping Report declares such a risk as insignificant and states that it will be excluded as a factor requiring further risk analysis.

Our argument is this:

Relevant Baseline Conditions for Scoping 7.3 Study Area (page 107/8) states;

'In the absence of any specific guidance relating to solar developments... the design manual for Roads and Bridges will be used... a 1 km buffer zone from the site boundary has been considered appropriate as sufficient distance is provided to encompass catchment associated with the Proposed Development and to enable the deposition of silts in overland flows and dilution of any concentrated pollutants. Any impact to water bodies beyond 1km from the site boundary are considered to be negligible. '

Table 7.2 (page 117)

'For the solar array within the North and South Parcels, a quantified surface water run off strategy will NOT be provided. This is on the basis that when vegetated cover is provided beneath the panels and within spaces between rows (which will be the case for the Proposed Development), run off from the parcels is considered to have a negligible effect when compared to the baseline scenarios.

7.8.22 Cumulative Assessment

'No assessment of slope stability, geo-technical risk or contamination will be carried out as part of this assessment. 'FLOODS ARE A NATURAL OCCURRENCE'. We strongly contest that this demonstrates a deeply flawed approach to this critically important issue and it requires to be completely rejected for the following reasons.:

There is a substantial body of accepted, robust evidence that clearly demonstrates that the siting and configuration of solar farms has a significant, negative impact on rain water run off and constitutes a significant, direct threat of an increased risk of flooding to the area directly below the Solar Farm.

Some recognition of an increased threat caused by the siting of the BESS and the new substations are included but are only relevant to the BESS and substations risk assessment and are specifically excluded from the solar array/configuration itself.

- A) Cook and McCuen (2013)
Solar panels are entirely impervious. When arranged in dense rows they act as elevated catchment that interrupt uniform rainfall at the lower edge of the panel (drip line). Whilst solar panels do not change the volume of water falling on a site, they dramatically alter its distribution and create localised saturation zones. This significantly increases the kinetic flow of water draining from solar panels compared to natural rainfall. On a sloping site such as this, this accelerated run off will detach soil particles initiating rill and gully erosion.
- B) Wallingford Hydrosolutions (WHS 2017)
If the ground cover beneath the panels is compromised by shadow or erosion, the lack of architecture reduces surface roughness and peak discharge rates and run off volumes increase severely compared to pre-development, greenfield conditions. The concentrated drip line run off, compacted soil and gravity shorten the catchment's 'Time To Peak'. Water reaches the downstream watercourses or drainage ditches faster, stacking the peak flow of the hillside on top of the existing vulnerability of the flood risk area below.
- C) Essex Design Guide (2022)
If panels are aligned perpendicular to the site contours rather than parallel to them, run off channels into high velocity streams with an increased risk of downstream flash flooding but also carries high sediment loads which silt up the downstream culvert, field dams and attenuation ponds reducing the downstream area's baseline flood resilience.
- D) Planted/Low Impact Design Research (2024)
The highest risk is during the Construction and Immediate Post Construction phase whereby heavy machinery has severely impacted the soil structure and transforms a highly absorbent greenfield state into a semi-impervious state. There is, therefore, a significant increase in the risk that intense rainfall will cause catastrophic run off into downstream/ downslope areas.
- E) Rouleau at AI (2024)
Solar farms cause a localised infiltration hot-spot (+19%) and can prematurely saturate localised Chalk layers and concentrated infiltration cannot be absorbed and instantly converts in to surface run off that flows down the slope. This run off erodes the top soil and sediment heavy, turbid water flows in to the Chalk fissures and sink holes and presents a severe risk of contaminating the Groundwater with salt which can impact on downgrading water supply.

These proven risks must then be put in to the context of the precise geography and topography of the Southern Parcel of land and its exact placement on the East Yorkshire

Chalk Aquifer above England's second biggest flood risk area which has been formally classified as a Critical Drainage Area.

The sloped, chalk landscape of the Yorkshire Wolds rolling down from Skidby, Little Weighton, Bentley and Walkington towards Cottingham, Willerby, Hessle and West Hull (between 1-6 miles away) is a highly sensitive environmental intersection. Highly permeable Chalk flows in to the low permeability of the clay basins of Hull. The East Yorkshire Chalk Aquifer is highly protected by the Environmental Agency due to it's Regional Importance in providing drinking water to the whole region around the Humber Estuary.

All of the risks identified above were experienced in a terrifying and not to be forgotten, catastrophic event in this exact area in 2007. Whilst the area directly underneath the proposed solar farm has been historically vulnerable to surface flooding, the area experienced disaster in 2007. Following an intense (but increasingly uncommon) rainfall, a rapid overland sheet flow was suddenly generated which overwhelmed the drainage systems of the villages below. The result was catastrophic with 17,000 homes badly damaged, 35,000 people displaced/disrupted - thousands living in caravans for up to 2 years whilst their properties were dried and rebuilt, 91 out of 100 schools with significant flood damage; 30,000 children had severely disrupted education; 1,300 businesses significantly affected and many never recovered and closed down.

Whilst significant flood prevention work has been undertaken, none of the risk assessments included the provision of an industrialised sized 1465 acre solar farm plus a BESS and other major energy infrastructure installations being placed right above the flood risk zone.

The fact that the developer has specifically excluded this risk from further analysis because it is considered 'an insignificant risk' and in any event they would have confined the possible impact to only an area within 1 km of the solar farm boundary, is staggering in it's complacency. It shows a complete lack of both an understanding and a desire to understand. It speaks volumes of the attitude this developer has for the genuine and real concerns of all the residents who will or could be significantly affected by this proposal.

The land adjacent to and surrounding the proposed Northern Sector is the natural flood plain not only for the River Hull, but also to Barmston Drain and the extensive drainage network in the area. These drains must be maintained in order to facilitate the run-off from higher on the Yorkshire Wolds and thus preventing flooding further up-stream. In 2007 when the Wilfholme pump was not engaged early enough to take the excess from the fields between Hull Bridge and the area being considered, this resulted in the flooding of villages including Hutton Cranswick, Watton, Beswick, Kilnwick, Lockington, Scarborough and Leconfield as well as hamlets and homesteads throughout the area. Subsequent drainage of the area then forced the excess water in to Holderness where extensive flooding occurred.

5. Description of Site

The hamlet of Bentley, despite the proposal to completely surround it, has been omitted. This community of 17 properties and households, faces the greatest burden of any

community. Solar panels are shown adjacent to gardens and in close proximity to dwellings. This will destroy the identity and viability of this historic community which appeared in the Domesday Book. Residents are already very negatively affected with mental and physical health issues being invoked.

Aike in the Northern Sector as well as properties in Watton and Wilfholme are to be surrounded by solar panels. Once again solar panels are shown adjacent to gardens and dwellings including businesses and tourism ventures.

6. Buried Heritage

Small yet important areas within the Northern Sector appear to be ignored as are the Listed buildings within and in close proximity to it. Reported Roman and other archaeological artefacts are not identified or noted within the document.

In the Southern Sector, misrepresentation of the 74 acre Heritage Site of the Risby Jacobean Gardens, Hall and Medieval settlement, which is at the heart of it and has the same protection by Historic England as Stonehenge is of great concern.

7. The Planning Framework

There are confusing references to both the Planning Act (2008) and the new Planning and Infrastructure Act (2025). Given the extensive differences between the approaches of them, there should be no such confusion.

8. Engagement and Consultation

The Scoping Report states that 'the applicant may NOT be required to undertake a formal statutory phase of consultation. Given the public opinion and that this is one of the first, if not the first proposal following the 'fast-track' route, this must not be permitted.

9. Cable Search Area

The cable search area is far too wide (2km in places) with extensive variation in options. This is a result of the two sectors being separate proposals and not a single one as described by Clean Air Solar. A cable search just 200m from the centre of the historic market Town of Beverley must not be permitted. How can this be considered? Much of the development of the town is within 200m of the centre (assuming this to be the Market Cross) and includes Beverley Minster, Beverley Westwood and a whole range of protected buildings.

This is completely unacceptable this is causing immediate and significant mental anguish to residents in these wide search areas. Attendance at the other projects planned for this exact area is revealing frustration from these other major developers about the lack of clarity, or a significant narrowing of the applicant's search area.

Dogger Bank D's cable route which is planned to follow an almost identical route should surely be considered for sharing.

10. Opportunities for Collaboration

Given the significant impact of all of the competing and often conflicting projects planned for this relatively small area will have on each other, this cannot be left to the discretion of the applicant and/or PINS. It is an essential requirement that must be included from the outset. From attendance at the Dogger Bank D and SE/SW events, it is already explicitly clear that these developers are planning to use exactly the same ground for their own different purposes. Opportunities to share cable routes are being ignored with reasoning showing no concern for the individuals affected.

11. Agricultural Land

There are a large number of inaccurate, unsubstantiated and misrepresented statements and assumptions made by the applicant. These are incredibly important as the applicant finishes each claim off with the phrase 'Therefore, this issue will not be investigated further and will be scoped out of the Report'.

These are vitally important objections and reveal the true intention of the applicant to bypass and exclude fundamental issues that might halt or slow down this application.

Agricultural land should be used for agriculture; we are not being told we have produced too much food but Ed Milliband is being told that the nation is producing too much solar power!

12. Transport and Access

This report only includes 4 other projects and deliberately excludes a wide range of other approved projects which will absolutely impact on the local environment. It is vital that Clean Air Solar investigate all other proposed developments prior to taking this further.

Access to the Northern Sector is very limited with the four routes across the area from the A164 being low grade, single track which flood and experience movement due to the shrinking and expanding of the clay sub-soil. Widening of these lanes is not possible due to drainage ditches. Crossing the main railway line from Hull to Scarborough is restricted by the narrowness of the level crossings. This is not considered as an issue.

13. Health and Well-being

The applicant makes a long series of unreasonable and unjustified assumptions on a wide range of key human health and well-being issues. There are the very same conclusions made that these are 'insignificant and will not be investigated further and will be scoped out of the Report'.

Both sectors are used extensively by both locals and visitors to the area for vital recreation with public footpaths (PROW and Permissive), bridleways and roads used for walking, riding, cycling, access to fishing and boating, bird watching and wildlife, tourist facilities, vineyards, riding stables and Highland Cow experiences to name just a few. Within the Northern Sector, the following PROWs are used extensively both individually and as parts of large circular routes as well as to access Beverley and as far as Driffild: BESWB01, BESWB21, BESWB23, WATTB13, WATTB24, LOCKB04, LOCKB09, BESWF16, BESWF17, BESWF18, WATTF12, WATTF15 and WATTF16. The ERYC PROW map, may be accessed using

the following link: [ERYC - Public Rights of Way map](#). These vital resources are ignored or given lip-service.

These are of critical importance and must be examined in detail. This reveals the true intentions of Clean Air Solar to side line and avoid obtaining any true understanding of the impact on the human health and well-being of all residents who will be impacted by their proposal and the users of the areas' facilities.

14. Socio-Economic

The agricultural land usage involves not only those farming the land but those providing services to them; grain suppliers, mills, agricultural engineers, markets and retail establishments, food processors etc. Beswick Parish Council, in association with the Stop Clean Air Solar Farm Action Group, has provided specific examples of inaccurate assumptions made by Clean Air Solar about this critical issue. In particular, the total dismissal of the Cumulative Impact of this proposal on top of all the other solar farm and other energy projects must be rejected at the outset. The wording of their statement and conclusion dismissing this reveals the true intention of the applicant to try and avoid the obvious correlation.

In view of all of the issues presented above, we strongly contest that this whole Scoping Report is unfit for purpose and that it should be rejected. It demonstrates how this proposal is not a unified, single entity but two separate projects spliced together in haste to make it so much harder for the diverse communities affected to speak with one voice. The issues confronting each parcel are completely different and we believe that this is calculated, cynical and disingenuous attempt by the developer to take advantage of the new NSIP process to fast track an ill conceived proposal in order to maximise profits even more by co-locating as close to Creyke Beck as possible.

They clearly have undertaken the right level of preliminary investigation prior to submission, and have deliberately withheld important information from Beswick PC, the Action Group and other stakeholders in pursuit of a rapid advancement through this new process.

Our Parish Council is working as part of the Action Group created to represent both the Northern and Southern Parcels as the parishes of Beswick, Watton, Lockington and Leconfield are too small with too few parishioners to be taken seriously. This is of course the reason why Dalton Estate and its Land Agent have determined this to be a perfect place for them to maximise their income, without thought for their tenants, the biodiversity in the area and the massive number of rare birds which are resident and migratory.

Given that we will be one of the very first proposals to negotiate its way through this new, shortened NSIP process, there must be an extremely strong focus on how all this plays out. We strongly believe that the voices of local residents on such a hugely important proposal must be taken in to account at the earliest possible stage in this new process, that the evidence presented is compelling evidence that this Clean Air Solar proposal does not demonstrate the due diligence required for a proposal which will irrevocably transform our rural, heritage landscape over the next 60 years.

Environmental Services
Infrastructure Decisions and
Applications Service
Planning Inspectorate
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Your Ref: EN0110018
Our Ref: 25/01269/NSIP
Enquiries to: [REDACTED]
Email: [REDACTED]@eastriding.gov.uk
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Date: 27th July 2026

Dear Sirs

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by Clean Air Renewables Limited (the applicant) for an Order granting Development Consent for the Clean Air Solar Farm (the proposed development)

The Planning Inspectorate has consulted East Riding of Yorkshire Council (ERYC) with a request to:

- inform the Planning Inspectorate of the information it is considered should be provided in the ES, or
- confirm we do not have any comments

The following information reflects the views of the Local Planning Authority and its internal consultees regarding the information contained within each chapter / sub heading of the Scoping Report submitted to the Planning Inspectorate on 18th May 2026. Where consultee comments have not been received by the response deadline these will be sent to PINS for forwarding to the applicant.

Introduction:

To prepare these comments ERYC have consulted with internal consultees as follows:

Transport Planning
Land Drainage and Lead Local Flood Authority
Environmental Control
Nature Conservation
Trees
Countryside Access and Definitive Maps (PROW)
Forward Planning
Sustainable Development
Transport Policy
Building Conservation

[REDACTED]
Chief Executive

Invest East Yorkshire
Public Health
Archaeology
Business Support
Coastal Management

Responses were received from Transport Planning, Land Drainage/LLFA, Environmental Control, Nature Conservation, Sustainable Development (Biodiversity), Building Conservation, Invest East Yorkshire/Business Support, Coastal Management, Public Health and Archaeology. The Council sought the professional views of Landscape and Environmental Consultants, and their responses are included within the Landscape and Visual Amenity and Agricultural Soils sections below. These represent the views of the Council.

The comments above have been included in this report on a topic-by-topic basis in the paragraphs below. Any further comments received will be forwarded separately.

Site and Description

In addition to paras. 2.5.21 to 2.5.24 Existing Infrastructure ERYC suggest that consented schemes should also be identified. This includes Dogger Bank South windfarm NSIP, Wanlass Beck substation and Creyke Beck substation extension (LPA ref. 24/03819/STPLF)

Local Planning Policy

Policy S4 of the East Riding Local Plan should be included with particular reference to Part A. 3 which requires development in the countryside not to involve a significant loss of best and most versatile agricultural land.

Cumulative Effects

ERYC note the intention to split the cumulative approach into four phases, beginning with establishment of a long list of development. The applicants propose to base the long list on existing and approved developments within 10km of the proposed development. The scoping report does not address how the 10km distance would be measured and ERYC consider this needs to be established within the ES. It is requested this should be within 10km of any boundary of the site. Notwithstanding that, ERYC also has concerns that a 10km zone would not truly reflect the level of cumulative development from solar farms and other major infrastructure work currently being undertaken or proposed within the East Riding Council boundary. It is suggested that to properly assess the impact of cumulative development all energy related developments within the Council's administrative area should be identified. To assist that the Council has published an up-to-date map of energy developments which can be viewed at <https://eastriding.gov.uk/planning-permission-and-building-control/energy-developments/>.

Comment on Topics scoped into the EIA

Biodiversity

Comments are provided on the corresponding paragraph nos. in the Scoping Opinion as below.

Documents Considered

- Clean Air Solar Farm Scoping Report (Logika, June 2026)
- o Chapters 5 Description of Development
- o Chapter 6 Biodiversity
- Appendix A

- Appendix B

Chapter 6 Biodiversity

6.3.4 Where the Scoping Boundary falls within 10km of the Humber Estuary SPA/SAC/Ramsar, Natural England have previously advised that that zone of influence for passage and wintering birds is 300m for noise and visual disturbance.

6.3.6 Other sources of baseline data could include Yorkshire Water (Tophill Low SSSI and environs), East Yorkshire Bat Group, EA for fish records.

Table 6-1 detailed search distances are considered acceptable

6.3.12 Note Humber Estuary SAC SPA Ramsar is hydrologically connected to watercourses within the Scoping Boundary

Table 6-3: Summary of international, national and local designated sites
Hornsea Mere SPA is also designated for Mute swan *Cygnus olor* (Non-breeding)

6.3.17 Watton Beck is a chalk stream priority habitat as are Bryan Mills Beck and Scarborough Beck. Priority Habitat inventory searches should be extended to include Chalk Rivers, Wood Pasture and Parkland.

6.3.20 Wood Pasture and Parkland within zone of influence; associated with Burton Bushes

6.3.21 ERYC is aware of priority ponds and large great crested newt populations across the Scoping Boundary; early consideration for pond creation is supported. Toads are also found across the study area.

6.3.23 Note also parcels of traditional orchard also mapped on Figure 6-4 in northern cable corridor

Figure 6-4 The key and map should cover all relevant priority habitats

6.3.29 Note the large number of pink-footed geese (8,600 = 53.9% of 5-year mean peak Humber Estuary WeBS population 2023/24), golden plover (200 = 0.92% of 5-year mean peak Humber Estuary WeBS population 2023/24) and lapwing (300 = 2.56% of 5-year mean peak Humber Estuary WeBS population 2023/24) for the northern parcel. The figures for the southern area include golden plover (410 = 1.90 % of 5-year mean peak Humber Estuary WeBS population 2023/24). Clear mapping of recorded breeding and non-breeding birds should be provided as part of the DCO application along with transect routes and vantage survey points. We consider that mitigation for impacts to passage and wintering birds associated with the designated site will be required and should be factored into the design.

Schedule 1 breeding birds are recorded throughout the Scoping Boundary; details of the locations of nesting sites for these species should be provided as a confidential annex.

6.3.39 The results of the badger survey should be provided as a confidential annex

6.3.57 Agree with the habitat suitability for commuting and foraging bats and the detailed surveys. No further surveys detailed for bat roosts noting section 6.3.50, 6.3.53 and 6.3.56 confirm further assessment of both trees for potential

roost features and further assessment of trees with identified potential roost features. Survey, however, is confirmed at Table 6-9.

6.3.64 The approach for reptiles is considered proportionate. Note that table 6-9 includes for reptile presence/absence surveys of suitable habitat contrary to the detailing at 6.3.64.

6.3.76 There is no consideration for aquatic invertebrates noting the presence of chalk streams within draft Order Limits. Watton Beck is classified as 'Good' overall ecological condition at 7.3.19 and Bryan Mills Beck and Scarborough Beck as Moderate' overall ecological condition at 7.3.23

6.5.4 Invertebrates not listed as scoped in; and not scoped out at table 6-5

6.6.9 We would expect that 10% gains should be achieved on-site with the PV area and landscape mitigation areas for habitats, hedgerows and watercourses for a project of this type.

6.6.10 The outline Construction Environmental Management Plan should include an Invasive Non-Native Species (INNS) protocol given the identified presence of INNS particularly in the northern parcels.

Table 6-5: Likely Significant Effects Scoped Out from the Detailed Assessment
ERYC Confirm agreement that all effects on Dormouse can be scoped out.

Table 6-6: Likely Significant Effects Scoped into the Detailed Assessment
Confirmation is requested that vibration impacts to identified ecological receptors are screened in e.g. HDD and screw piles

We support the inclusion of an assessment of construction lighting impacts on ecological receptors. The ES should include an assessment of operational light impacts from substation compounds where significant effects are likely to occur. The location of sub-stations is not presently known and lighting design only covers broad principles to avoid overspill. Likely significant disruption of ecological corridors such as hedgerows should be considered. Note 11.6.6 states "No permanent lighting at the substation, with lighting only used in the case of emergency works" and this is supported.

ERYC ask that reference to 'wintering birds' as a receptor is replaced by 'non-breeding birds' to ensure scope covers passage and wintering species.

The Environmental Statement should also include assessment of the impact on veteran and ancient trees and woodland which are irreplaceable habitat. Ancient woodland is identified in the desk top study. It is expected further survey is required in respect to ancient and veteran trees. Natural England and the Forestry Commission's standing advice should be referenced and followed. The Woodland Trust's Ancient Tree Inventory identifies several notable trees and veteran white willow 207757; veteran pedunculate oak 101227 within the Project Scoping Boundary. Veteran and notable trees were identified within the Clean Air Scoping Boundary through Dogger Bank South Windfarm DCO surveys.

Protected Trees should be scoped in as part of the assessment. ERYC TPO protected trees and Conservation Areas are available as shapefiles via <https://data-eastriding.opendata.arcgis.com/>

The Environmental Statement should also include consideration for species of principal importance/priority species under Section 41 of the Natural Environment and Rural Communities

Act; detailing species present, their status, the direct or indirect impacts and any mitigation or compensation measures required.

Table 6-9 Further Baseline Data Planned for 2026

Confirm that condition assessments to cover hedgerows and ditch watercourses (non- Modular River Condition Assessment (MoRPH)) are proposed. ERYC welcome other surveys in line with best practice guidance. Full methodology should be provided as part of the ES appendices.

Natural England recommends that surveys in proximity to the Humber Estuary are completed at the following frequency for those involving land take:

- Autumn Passage – two surveys per month between August to October inclusive.
- Winter - two surveys per month between October to March inclusive.
- Spring Passage – two surveys per month between March - Mid-May inclusive.

Deviations should be justified and agreed.

Detailed BS5837:2012 tree surveys pinch points to inform a preliminary arboricultural impact assessment where arboricultural impacts are expected or considered to be possible. Tree survey to record ancient and veteran trees. For the remainder of the development area a High Level Tree Survey is considered proportionate focusing on ancient, veteran and notable trees only.

Other

Table 17-3: Effects Scoped Out from the Detailed Assessment

Assessment of dust impacts are scoped out; however, we agree with the assessment presented at Table 6-6: that construction phase dust impacts on sensitive ecological receptors including notified habitats of Bryan Mills Field SSSI and Burton Bushes SSSI are included. Assessment should be in accordance with the IAQM (Institute of Air Quality Management) guidance.

General Comments

Figure 5-1b Master Plan Southern Landscaping

It is noted that the Scoping Boundary overlaps with the Dogger Bank South Onshore Converter Station (potential landscaping) and associated permanent landscaping (Solar PV and infrastructure), and several field parcels north of Bentley and South of Butt Farm Scheduled Ancient Monument.

Scoping Report Chapter 5

Support the incorporation of appropriate mammal gates within perimeter fencing and hedge thickening (5.2.34) and retention, as far as possible of existing hedgerows, woodland, ditches, ponds and field margins and other areas deemed to have high landscape or biodiversity value and use of existing breaks and crossings (5.2.38)

Welcome that an indication on how 10% BNG is to be achieved will be provided as part of the DCO application (5.2.41).

Support collaboration with other NSIP projects with a view to reducing the cumulative environmental effects. An Interrelationships Report is a useful document considering crossovers already identified (5.6.1).

The proposal should demonstrate that that mitigation hierarchy is followed, providing full justification where there are deviations. The Scoping Boundary includes land within the Hull and East Yorkshire Local Nature Recovery Strategy's identified areas that could be particularly important for

biodiversity. Proposed biodiversity enhancements should aim to align with the strategy's identified measures.

11.6.5 Retention and protection of existing trees, hedgerows and vegetation, where practicable, in accordance with best practice (BS 5837) is supported

11.6.6 Support the landscape design principles. Where possible we would encourage mitigation planting in advance of construction particularly where sensitive receptors and significant effects are identified.

Table B-1: Scoping Commitments Register

In relation to Ecology and Trees we agree with the following commitments:

C2: Existing hedgerows, woodland, trees, ditches, ponds, field margins, as well as other areas deemed to have high landscape or biodiversity value, will be retained as far as possible.

C3: Buffer zones will be used to avoid encroachment into key landscape features, including:

- Hedgerows: 5m;
- Watercourses, drainage ditches and waterbodies: 10m;
- Trees and woodlands: 25m

C16 The Proposed Development will achieve a Biodiversity Net Gain in excess of 10%. The habitat type, location and amount will be discussed with the relevant Statutory Consultees.

We request confirmation that in addition to habitat; hedgerows and watercourse net gain will be provided.

C19: Where practicable, direct impacts on watercourses will be avoided through the use of directional drilling to install cable connections. The cable route will be subject to refinement and through design will seek to avoid impacts on more sensitive habitats through positioning or through use of non-destructive methods such as horizontal directional drilling.

C20: The Grid Connection Corridor route choice will exclude designated sites and irreplaceable habitats (such as Bryan Mills Field SSSI); will include precautionary ecological avoidance (such as woodland blocks, priority habitats and areas of known or high potential for protected species) and avoid environmentally sensitive areas (floodplains, watercourses and groundwater source protection zones)

C23: The Site will be returned to its original use as far as possible and practical, with areas of established mitigation left in-situ where possible and in agreement with the landowners.

C25: Production of outline Construction Environmental Management Plan (oCEMP), C27: Outline Soils Management Plan (oSMP), C31: Outline Operational Environmental Management Plan (oOEMP), C32 Outline Landscape and Ecology Management Plan (oLEMP); C33: Outline Battery Safety Management Plan (oBSMP), C34: Outline Decommissioning Environmental Management Plan (oDEMP).

Landscape

In terms of biodiversity new hedgerow planting should be characteristic of the local area and should aim for enhancements in terms of species diversity and distinctiveness where possible. Hedgerow mixes for impacted landscape National Character Areas (NCA) are provided below. Substitution of *ash will be necessary. Species should be selected from those observed during site surveys.

Yorkshire Wolds

Hawthorn <i>Crataegus monogyna</i>	30%
Blackthorn <i>Prunus spinosa</i>	30%
Hazel <i>Corylus avellana</i>	15%
Field Maple <i>Acer campestre</i>	10%
Dogwood <i>Cornus sanguinea</i>	5%
Ash <i>Fraxinus excelsior</i> *	5%
Buckthorn <i>Rhamnus cathartica</i>	5%

Holderness NCA

Hawthorn <i>Crataegus monogyna</i>	30%
Blackthorn <i>Prunus spinosa</i>	25%
Hazel <i>Corylus avellana</i>	15%
Field Maple <i>Acer campestre</i>	15%
Dogwood <i>Cornus sanguinea</i>	5%
Ash <i>Fraxinus excelsior</i> *	5%
Oak spp. <i>Quercus</i> spp	5%

Proposals for the creation of flower rich grassland in association with PV panels should be realistic. Species mix should not include non-native species. Avoidance of annual dominant seed mixes is encouraged.

Attention should be made to existing habitats of principal importance on site and their enhancement and appropriate management where possible. It is recommended that tree planting follows a 5 – 10 – 20 - 30 formula (i.e. no more than 5% of any one cultivar, no more than 10% of any one species, no more than 20% of any one genus, and no more than 30% of any one family.) This helps avoid monocultures or over reliance on a few types of tree and helps to build resilience into the new tree stock. Tree species should include a good proportion of longer-lived species to ensure permanence in the landscape.

SuDS features should be designed for biodiversity

Built features for biodiversity are encouraged and should target bats and specific bird species, invertebrate habitat and hibernacula creation

Sustainable Development (Biodiversity) Response Summary:

The submissions indicates that there will be appropriate consideration of potential receptors and impacts upon these. The extensive nature of the scheme should very clearly encourage a more strategic, landscape level overview of the scheme and how it might impact on or could benefit and gain from the Hull and East Yorkshire Local Nature Recovery Strategy.

Although the Land Use Framework sets a strategic direction in relation to competing land uses but is not of material consideration in planning matters, Local Nature Recovery Strategies are required to be taken into account by developers and local planning authorities. This needs to be scoped into the assessment.

Further information about the HEY LNRS can be found at Hull and East Yorkshire Local Nature Recovery Strategy. The published LNRS map is here: [LNRS Web Experience](#).

ERYC consider further information should be included on the proposed management of the site, the options for different types of installations and how these could affect the associated habitats, the local ecological network and the wider HEY LNRS.

Both management of the land whilst it is still in operation, and the design of the scheme will have significant implications for its sustainability. This will be partly determined by the choice of panels and their mounting. There presently appears to be a fixed choice for angled banks of panels covering a wide surface area of each field. How these are mounted, angled and spaced will largely determine what else the development could potentially provide. This is an important consideration in relation to securing greater multifunctional usage for which the Land Use Framework makes a sound case with regard to combining food and energy security, climate adaptation and nature recovery. Different design options and panel locations should be provided and assessed against benefits of each to sustainability.

In terms of management, options should be provided for different uses and management of the land within the DCO boundary to assess the benefits of each in sustainability terms.

ERYC request that LNRS conservation projects should also be incorporated into plans.

Hedges and tree lines, including the gapping up of hedges and the incorporation of what would eventually become significant trees within the landscape where this would impact adversely on energy generation should be evaluated.

New buildings should be designed to incorporate wildlife features and particular regard should be given to where 'woodcrete' or similarly durable shelters for a range of species, particularly those for which breeding and roosting opportunities are scarce or lacking, might most usefully be deployed. Other refuge and hibernacula options should also be identified.

Consideration should be given not only to the restoration and enhancement of existing ponds and scrapes but how these and new provision, incorporating the capture of run-off from solar panels, could be situated.

The Outline Soils Management Plan (oSMP) should include provision for the removal and relocation of topsoil where this would be likely to create the conditions to facilitate the establishment and retention of new high quality habitat areas. Early consideration of the potential market for soil disposal or its redistribution on affected farmland would facilitate positive outcomes and provide added value

The account to be taken of other proposed NSIP schemes and major infrastructure proposals should include consideration of the benefits from the sharing of information and a coordinated, proactive approach to ecological mitigation and enhancement, as well as potential cumulative and antagonistic effects. The Appendix B:C20 note is encouraged in this regard.

- Scoping Report:
 - o Table 2-1: The site is Pulfin Bog, not Puffin Bog.
 - o Table 6-1: It is the North & East Yorkshire Ecological Data Centre (not 'records centre'), and it is NEYEDC rather than YHEDT that will be supplying other local biodiversity data.
 - o Additionally, a check should be made as whether the update to the East Riding Ancient Woodland Inventory undertaken by NEYEDC has been uploaded to MAGIC.

Hydrology

The Lead Local Flood Authority (LLFA) and the Land Drainage Team (LDT) agree that Hydrology should remain scoped into the EIA and considers the proposed assessment methodology broadly appropriate.

The Environmental Statement should include:

- A comprehensive Flood Risk Assessment assessing all sources of flood risk, including climate change and residual risks.
- A Surface Water Drainage Strategy demonstrating compliance with the SuDS hierarchy, greenfield runoff rates, attenuation, exceedance routing and long-term maintenance.
- Assessment of impacts on any Main Rivers, ordinary watercourses, land drainage systems and floodplains, ensuring no increase in flood risk on or off site.
- Assessment of construction impacts, including temporary drainage, dewatering (where required), sediment control, pollution prevention and reinstatement of field drainage.
- Details of water quality protection, including drainage and emergency containment measures associated with the proposed Battery Energy Storage System (BESS).

Early engagement with the LLFA, Environment Agency and relevant Internal Drainage Boards should continue throughout the design process.

Agricultural Soils

ERYC have commissioned a review from an Environmental Consultancy and their comments are set out below. These form the ERYC comments on this section of the Scoping Report.

PEIR Chapter Review

Policy/Legislation/Guidance

The applicant has listed multiple sources of guidance and policy in Section 8.2, demonstrating that the appropriate documents have been consulted. The chapter also provides contextual interpretation of these policies and guidance in relation to the proposed development. The ERYC Local Plan is referenced, but not specifically Policy S4 – Protection of BMV Land, which steers the application towards assessing the potential presence of BMV land on development proposals and how proposals should be weighted towards non-BMV land.

The applicant correctly references the Institute of Environmental Management and Assessment (IEMA, Now ISEP) guide: A New Perspective on Land and Soil in Environmental Impact Assessment and Natural England (NE) guidance.

Methodology

We agree with the receptors which have been identified, Agricultural Land Quality (BMV), and Soil resources.

Section 8.82 outlines the assessment's proposed approach to the significance of effects.

The applicant highlights:

"There is limited published guidance on what constitutes a significant area of loss. A commonly used benchmark is the 20 ha threshold at which a local planning authority must consult Natural England¹⁴⁸ where development not in accordance with an approved development plan would result in the loss (or likely cumulative loss) of 20 ha or more of BMV land. This is a consultation trigger under the town and country planning regime rather than a threshold that applies directly to a Development Consent Order"

However, the IEMA guidance (Now ISEP) sets out a scale of magnitude, as is further cited by the Environmental Impact Assessment handbook (ICE, 2019), which is followed as an industry standard, allowing for a standardisation of magnitude across applications. Multiple recognised guidance sources identify 20 ha or greater as the threshold for a high magnitude effect associated with the permanent loss of agricultural land or soil functions. It would therefore be helpful for the

Applicant to demonstrate that the alternative threshold adopted within the assessment is supported by an equivalent and recognised evidence base or guidance source.

Magnitude	Applicant presented Area of Effect	IEMA (ISEP) Guidance
High	≥ 50 ha	≥20 ha
Medium	20 – < 50 ha	5-20ha
Low	5 – < 20 ha	< 5 ha
Negligible	< 5 ha	No loss of agricultural land

Whilst the Applicant states that losses exceeding 20 ha could still be assessed as significant, the use of a higher threshold may influence the categorisation of magnitude and, consequently, the significance assigned to a range of effects. The Applicant should therefore explain the implications of the alternative threshold on the outcomes of the assessment and demonstrate that significant effects are not underestimated.

Additionally, the sensitivity criteria adopted by the Applicant appear to depart from those set out within the IEMA guidance. The table below sets out the differing sensitivity criteria in use between the Applicant and the IEMA guidance:

Sensitivity	Applicant presented characteristic	Sensitivity	IEMA (SEP) Guidance
High	Grades 1 and 2	Very High	Grades 1 and 2
Medium	Grade 3a	High	Grade 3a
Low	Grade 3b, 4 and 5	Medium	Grade 3b
-	-	Low	Grades 4 and 5

This approach effectively reduces the sensitivity assigned to all agricultural land grades and, in particular, results in Grade 3b land being grouped with Grades 4 and 5. Whilst Grade 3b land falls outside the definition of Best and Most Versatile land, it nevertheless represents a more productive and versatile agricultural resource than Grades 4 and 5 and is identified as a receptor of medium sensitivity within the ISEP guidance.

The Applicant should therefore provide further justification for departing from established guidance and explain why Grade 3b land is considered to be of low rather than medium sensitivity.

When the IEMA parameters are considered alongside the alternative magnitude criteria adopted within the assessment, this revised sensitivity classification has the potential to reduce the significance attributed to agricultural land losses. The Applicant should demonstrate that the combined effect of these methodological departures does not result in the downgrading or underestimation of likely significant effects.

Mitigation on Soil and Agricultural Land

It is agreed that the mitigative measures which include Outline Soil Management Plan (oSMP), an Outline Construction Environmental Management Plan (oCEMP) and Outline Operational Environmental Management Plan (oOEMP) to ensure correct handling and reduce operational damages to the soil on site to be appropriate for the scale and nature of the project.

Likely Significant Effects Scoped into the Detailed Assessment

The applicant has identified the following items to be scoped into the assessment

- Reduction in soil quality during the construction and decommissioning phases;
- Loss of BMV agricultural land during construction, operation and decommissioning phases;
- Soil degradation; and
- Potential beneficial effect on soil quality during the operational phase

It is agreed that these effects should be scoped in. However, it is also considered that the effects of permanent losses from the infrastructure such as BESS, substations, transformers etc should be given their own assessment as they will need stripping of soils for construction and will have a lasting effect on the agricultural use of the site.

Effects Scoped Out from Detailed Assessment

The applicant has identified that physical damage to soil during the operation and maintenance phases will be scoped out of the assessment. ERYC would agree with this based on the justification of mitigative operational measures as is expected to be covered within the above mentioned oSMP, oCEMP and oOEMP. Due to this the risk of physical damage and therefore significance of effect is low.

General Comments

The comments above systemically address the EIA scoping in accordance with the best practice guidance, which have been detailed in the above sections.

In general, it is agreed with the items to be scoped into the assessment and believe that the presented receptors, potential effects and mitigative measures presented so far are appropriate for the scale and nature of the project.

We would also advise that it would be beneficial to see further justification from reputable sources and published guidance on the magnitude and sensitivity criteria adopted that appears to depart from those set out within the IEMA guidance 'A New Perspective on Land and Soil in Environmental Impact Assessment'.

Archaeology

The proposed construction of the Clean Air Solar Farm has the potential to impact on a wide range of different archaeological remains/sites within the landscape of East Yorkshire. The sources of data used to inform the scoping report is acceptable, however, as noted in 9.9.1, additional sources/datasets will be utilised to inform the desk-based assessment, which will subsequently inform the Archaeology Chapter of the Environmental Statement. The sources/datasets listed are acceptable, however, we would also recommend that data from the PAS be incorporated alongside the other datasets. We also recommend that contact is made between the developer's archaeological representative and other large-scale/NSIP schemes which intersect with the study area in order that data from those projects can be incorporated.

As noted in paragraphs 9.3.8 and 9.3.9, the cable search area is currently broad due to the cable alignment not being defined at this stage. This area will be refined down for the DBA and ES Chapter following confirmation of the cable alignment within the search area.

A geophysical survey was undertaken on parts of the site when it was previously known as Kingfisher Solar Farm, with results indicating possible archaeological anomalies representing

enclosures, linear features and field boundaries. Further geophysical survey work is currently taking place across the remainder of the site.

The programme of geophysical survey should be followed by an initial phase of targeted trial trenching to further inform the ES archaeological baseline. This first phase of trial trenching should include areas of high archaeological potential and areas of major infrastructure works. The result of the evaluation works, and the desk-based research should be utilised in the design process to aid in preventing the loss of significant archaeological remains, if feasible. Following the completion of the assessment/evaluation stages, mitigation measures will be explored to ensure that archaeological remains are preserved, either in-situ or through a programme of investigation and recording.

As noted in paragraph 9.3.18, a section of the Scheduled Monument known as 'Risby Jacobean Gardens, Hall, and Medieval Settlement' is included in the southern parcel. The currently available archaeological data indicates that remains associated with the Scheduled Monument extend outside the designated area and as such, are likely to be also of national significance. Whilst this area is currently included in the development, careful consideration will be required on how to assess the potential impact here and how best to ensure that potentially nationally important remains can be adequately preserved. Several other designated heritage assets lie within the site itself and therefore, should also be subjected to a suitable assessment on how the development would impact on their significance.

Therefore, at this stage, we would expect to see the following work undertaken to inform the DBA and ES baseline:

- Completion of the ongoing geophysical survey and submission of a report on the work.
- Aerial Photographic and LiDAR Analysis – we would also recommend that the National Mapping Project data is obtained from Historic England.
- Geoarchaeological Survey – the geoarchaeological potential of the study area should be assessed as is proposed, with the possibility of the creation of a deposit model for areas where this would be beneficial.
- An initial phase of trial trenching evaluation in those areas assessed as having high archaeological potential and areas of major infrastructure.

Built Heritage

The relevant legislation, policy and guidance considered are set out in section 10.2 of the chapter, while the baseline for the assessment is set out in section 10.3. Both are considered to be appropriate and proportionate to support a robust assessment of the impact of the development on built heritage, and there are no additional sources that we direct the applicant to consider. We would, however, note a minor error in paragraph 10.3.27 which should refer to three grade II* listed buildings, not two.

Section 10.3 also sets out the proposed extent of the study area in which assets will be considered when assessing the potential impact of the development within the wider scoping report. This is to be 2km from the North and South Land Parcels and 1km from the Cable Route Corridor. While other similar developments have proposed a 3km radius from land parcels, we are happy to accept that the supporting figures 10-1 to 10-4, suggest that this radius would allow for an appropriately detailed assessment, particularly if its scope is to be refined by the results of a ZTV, as noted in paragraph 10.3.5. It is also positive to note that consideration has been given to specific assets

outside this area which may require individual assessment, most notably the Minster Church of St. John in Beverley (Beverley Minster).

However, paragraph 10.3.5 notes a further sifting exercise has also been carried out, reducing the number of assets between 1 and 2km which will be assessed in detail. While we would accept that the relative significance of non-designated heritage assets means that development beyond 1km is unlikely to result in a considerable level of harm from a heritage perspective, we cannot support the proposals to limit the assessment of grade II listed buildings to 1km. This is because this differentiation appears to be founded on the false assumption that the higher graded an asset, the wider its setting. While it may be true that a number of highly graded assets have large settings, this is linked more closely to the building typologies than to their grading (for example, a large number of churches are listed at grade I and II*, and a large number of churches have large settings in which their significance is experienced). However, there are plenty of example of buildings listed at grade II with large settings, and of those listed at grade I and II* which have tight and contained settings. As such, we cannot support this reduction in the scope of assets assessed, and we would consider that an EIA carried out on this basis would risk providing an assessment that underassessed assets of national significance. With this in mind, we also cannot support the proposals set out in Table 10-2 to scope out 'Grade II Listed Buildings outside 1km Study Area' during the construction and operational phases.

Tables 10-4 and 10-5, alongside paragraphs 10.8.14- 10.8.18 set out the methodology to be utilised in the EIA to assess the effect of the development on heritage assets. This methodology is consistent with those used for other similar large infrastructure projects, and it is therefore agreed to be appropriate. However, it is highlighted that it is a methodology that has been developed to cover a wide range of potential projects. This makes it a high-level process, that can lack specificity to the development being assessed if applied without nuance. In particular, it is centred on a matrix of 'asset value' and 'magnitude of impact'. This matrix can result in generic and blanket conclusions about assets of the same designation, which do not reflect these assets' varying importance and character, if applied without nuanced discretion. It is therefore highlighted that while this is a useful methodology to provide a baseline understanding of the level of impact, where the potential for harm to be caused is identified, these will need to be assessed on an individual basis, by a suitably qualified heritage professional.

We would also agree with the assessment grouping certain assets, where it can be clearly demonstrated that the likely level of change to their setting and impact on their significance will be the same. For example, the study area takes in 6 grade II* listed buildings which together form the complex of twentieth century student accommodation on the edge of Cottingham known as The Lawns. We would not object if these assets were to be grouped and assessed together. However, this should only be the case where this interrelationship is clearly demonstrable, with the assumption otherwise that the assessor should err on the side that each asset should be assessed individually.

Landscape and visual amenity

Paragraph references below refer to Chapter 11 of the Scoping report, unless stated otherwise.

Baseline and Receptors

11.3 Baseline has appropriately listed Baseline Conditions.

Para 11.5.5 appropriately references a range of visual receptors.

However, please note below some specific comments relating to recreational receptors, currently proposed to be scoped out.

Residential Visual Amenity Assessment

11.8.5 final bullet states:

The LVIA will assess the potential visual effects to different types of visual receptor, including residential receptors, i.e. private views (albeit assessed from publicly accessible locations). In the event that the visual assessment identifies major adverse effects on residents at year 15 of operation (i.e. major adverse visual effects that have not been mitigated), a Residential Visual Amenity Assessment will be undertaken in line with the Landscape Institute's Technical Guidance Note 2/19: 'Residential Visual Amenity Assessment'

The proposed methodology (third bullet of the above para 11.8.5) states that effects with "long-term durations are considered to be more than five years". On this basis, it seems inappropriate to apply RVAA only to properties with un-mitigated major adverse effects at year 15, as long-term RVA effects would potentially be ignored. Care should also be taken in assuming that landscape-based screening (i.e. hedgerows and trees) can fully mitigate effects. Winter views need to be adequately taken into account, whilst the enclosure and potential loss of views, as a result of such screening, should also be considered.

It is worth noting that other NSIP solar farm developments within the East Riding have attempted to negotiate access to properties for the purpose of RVAA. Although such access is necessarily the subject of negotiation, it should not be ruled out in favour of only using publicly-accessible locations, where this may lead to ambiguity in determining RVA effects.

Terrain and effect its effects on visibility

There appears to be no obvious recognition that the undulating landscape of the Wolds, around the southern land parcel, is likely to reveal more views of the solar installation than the relatively flat/sloping landforms of the northern parcel. This may be picked up within the PEIR/LVIA, but appears to be missing at this stage.

Visualisation

Para 11.5.8 states

"All photographs and photomontages will be prepared in accordance with relevant guidance, namely the Technical Guidance Note 06/19: Visual Representation of Development Proposals".

TGN06/19 provides quite a range of options. The developer will be expected to carry out a Visualisation Type Methodology (Section 3.7, TGN06/19) to determine the appropriate Visualisation Types. However, it is expected that Type 4 Visualisations will be appropriate, and that both summer and winter, for Years 1 and 15, will be represented. This is confirmed by para 11.8.2, which states:

"Photography will be captured from each representative viewpoint in both summer and winter conditions, showing the effect of seasonality on the potential visibility of the Proposed Development".

Photomontages/Photo wires will be expected to cover the full extent of the development from any given view, using adjacent panoramas if necessary. The use of a 10cm scale bar, on the presentation sheet PDFs, is recommended to ensure appropriate scaling of the image when viewed on-screen.

Zones of Theoretical Visibility

ZTVs are proposed to be carried out in para 11.5.5. As well as identifying possible viewpoints, ZTVs should be presented as overlaid on Highway/PRoW maps and also LCA maps, to help to indicate the degree of visibility of the solar arrays in relation to those receptors. At present, the scoping in/out of LCAs is not evidenced through ZTV mapping.

ZTVs should be provided in both 'bare-earth' and 'with obstructions' formats, to help indicate the effects of both existing and proposed screening effects. This seems to be the intention, as Para 11.8.1 states:

“The fieldwork will be informed by ZTV mapping, which will model the emerging design layout in the context of the prevailing landform and existing surface features such as buildings and vegetation”.

Lighting

The statement in Table 11-1 is noted:

“The impact of the temporary and occasional lighting as detailed above will be considered as part of the wider assessment of landscape and visual impacts but a standalone lighting assessment is proposed to be scoped out”.

This is considered to be appropriate, but any lighting effects, whether or not significant in themselves, should be fully detailed and taken into account, for example in relation to matters of tranquillity, as well as their contribution to visual effects.

Scoping out

Table 11-1 states

“With regard to visitors to Risby Park Fishing Ponds, the ponds are situated within a valley and surrounded by dense woodland such that they do not experience views of the Site Boundary and so unlikely to experience any significant changes in their views as a result of the Proposed Development. Effects on these receptors are therefore proposed to be scoped out”.

This aspect of scoping should be reviewed. Views from within the fishing lakes area are only part of the consideration. Visitors to Risby Park are seeking recreation in a countryside setting. They will typically drive there. All approaches will involve travelling past the proposed solar installations. Therefore, the experience of travelling to and fishing at Risby Lakes would be affected by the proposed installations.

Related to this, Risby Lakes also hosts Folly Lake Cafe.

<https://www.visiteastyorkshire.co.uk/listing/folly-lake-cafe/140689101/> states:

“A picture-perfect location. Located by the tranquil Folly Lake, our café offers more than just great food and drink – it’s an experience. Whether you’re enjoying the outside terrace on a sunny day or settling into the cosy indoor seating space when the weather is cooler, the views of the lake and surrounding countryside are nothing short of breathtaking.

If you just fancy a drink, Folly Lake Cafe is the perfect spot to soak in the views while you sip your rich, smooth coffee.

Walks and trails nearby

Folly Lake itself is a peaceful haven for those who enjoy the outdoors. The picturesque surroundings offer plenty of opportunities for exploration, whether you're walking, cycling, or simply enjoying the views.

The Risby Round Walk and the Risby/Skidby Walk are both around 2.5 miles long and start and finish at the cafe. Walking around the ponds is not allowed unless you are fishing.

A dog-friendly haven

Folly Lake Cafe is also dog-friendly, making it a fantastic spot for pet owners to enjoy a meal or a drink while out and about with their furry companions. The café welcomes dogs in both the inside and outside seating areas.

Wildlife and nature

Birdwatchers can spot a variety of species, including swans, ducks, and other waterfowl, who often grace the lake with their presence. The area is also rich in flora and fauna, making it a lovely place for a peaceful walk enjoying the lush greenery and open landscapes surrounding the lake”.

Clearly, the wider setting of the lakes is important to this visitor location, and the effects of the solar farm upon recreational receptors should be assessed accordingly, rather than being deemed entirely separate to that experience.

The same argument is relevant to other visitor attractions, such as the Tophill Low Nature Reserve. Effects upon people, travelling to rural locations primarily for recreational reasons, should be considered and should be assigned relevant sensitivity, above and beyond that of motorists.

Transport/traffic effects

We would expect consideration of secondary impacts on Landscape and Visual resources, for example from construction traffic, or as a result of access works affecting trees, hedgerows and verges, to be informed by the Traffic Assessment, not delegated to it.

Mitigation

The scoping document proposes appropriate responses to the screening of the various infrastructure items through hedgerow and tree screening. Screen planting and the management of existing vegetation will need to be of sufficient height to be effective in screening infrastructure; with the greatest heights around taller sub-station structures. However, where this leads to potential loss of views or openness, this should also be assessed as an effect within the PEIR/LVIA. Cumulative impact and relationships with mitigation for consented schemes in the vicinity should be included.

Colour

Whilst the dominant colours of a solar farm are defined by the silicon crystal solar panels, there are many ancillary units, such as inverters and BESS, where the use of colour may assist in reducing the visual impact of the installation. In association with the LVIA, consideration should be given to Environmental Colour Assessment, as has been used on other NSIPs in East Yorkshire, to identify suitable colours for ancillary equipment, including fencing.

Enhancement

The development would have a notable effect upon the landscape of the study area. The applicant is recommended to seek positive outcomes beyond mitigating its effects, for example through: designation of footpaths (permissive and, where possible, permanent); and wider landscape enhancement, working with the (ERYC) Humber Forest and Local Nature Recovery Strategy Teams, to create a landscape which is ecologically and visually more resilient to the introduction of large-scale energy infrastructure. Such approaches can take place beyond the DCO boundary through cooperation with the above agencies or teams.

Assumptions

Para 11.8.9 states:

For the year 1 operational assessment, the assumption is that the Proposed Development will be operational in winter conditions. This represents a reasonable worst case assessment. The year 15 assessment will assume summer conditions and the establishment of planting included in the landscape design. This represents an assessment of the completed and operational development.

This seems to be an increasingly common and inappropriate assumption. The 15-year assessment should also include winter conditions. Otherwise, it is simply presenting best-case conditions at the 15-year stage and is not consistent with GLVIA3. Such an approach will over-emphasise the difference between 'worst-case Year 1' and 'Best-case Year 15' and over-state the beneficial effects of mitigation planting.

GLVIA3 para 6.28 states:

Consideration should be given to the seasonal differences in effects arising from the varying degree of screening and/or filtering of views by vegetation that will apply in summer and winter. Assessments may need to be provided for both the winter season with least leaf cover and therefore minimum screening and for fuller screening in summer conditions. Discussion with the competent authority will help to determine whether the emphasis should be on the maximum visibility scenario of the winter condition of vegetation, or whether both summer and winter conditions should be used.

Transport and Access

The principal traffic impacts associated with the project would arise during the construction phase, including temporary increases in HGV and workforce vehicle movements, localised road closures, and the need for traffic management measures. These effects are expected to be short-term and reversible. Once operational, it is anticipated that the development would generate negligible traffic, with only occasional maintenance access required.

Notwithstanding this, the scheme would necessitate access to the cable run at multiple locations across the East Riding local highway network. Associated works are likely to include the provision of temporary or semi-permanent access points, road crossing points, and some other engineering interventions such as localised carriageway widening where required to accommodate construction activities.

Scoping Report Review

The Local Highway Authority (LHA) recognises that Section 12 (Transport and Access) appropriately scopes Transport and Movement into the Environmental Impact Assessment (EIA) and adopts a broadly acceptable methodology for the assessment of likely environmental impacts arising from the proposed development.

The LHA agrees that the primary transport impacts will arise during the construction phase, with negligible effects anticipated during operation. However, at this stage, the assessment is high-level and subject to further refinement. Additional detailed information will be required at the Environmental Statement (ES) stage in order to fully understand and appropriately mitigate impacts on the local and strategic highway network.

The LHA agrees with the inclusion of the following within the scope of the assessment:

- Construction traffic impacts (HGV, LGV, and workforce movements)
- Effects on highway capacity and operation
- Impacts on road safety
- Effects on non-motorised users (NMUs), including Public Rights of Way (PRoW), National Cycle Network routes and recreational routes
- Driver delay, severance, and amenity impacts

This represents a proportionate and policy-compliant scope for a linear infrastructure project of this nature.

The LHA agrees with the scope of detail in relation to the Transport and Access.

Key Issues and Observations

The LHA agrees that construction will give rise to the most significant transport effects, including:

- Increased HGV traffic associated with equipment delivery, plant and materials
- Workforce-generated traffic
- Requirement for temporary traffic management, including road closures, lane restrictions and temporary signals
- Potential disruption to local communities and rural highway users

While these impacts are acknowledged as temporary, the LHA notes that localised effects may be significant, particularly on the rural highway network within the East Riding, which is often constrained in terms of width, alignment and capacity.

At this stage, the assessment does not clearly define the study area for transport assessment. the specific highway links likely to be affected not the baseline traffic flows and network performance.

The LHA requests that the ES must clearly define the study area in agreement with the LHA, identify all affected routes, including construction access routes and HGV corridors and provide robust baseline data, including traffic flows, junction capacity and safety records. A map/plan should be provided detailing the study, simply listing the affected roads would not be sufficient.

The location of construction compounds, access points and haul routes is not yet defined. The LHA emphasises that HGV routing strategies will be critical, particularly to avoid inappropriate use of lower hierarchy rural roads and early engagement with the LHA will be required to agree preferred routes to/from the Strategic Road Network, Access arrangements to the pipeline corridor and restrictions through sensitive settlements.

It is noted that the project corridor intersects some key NMU and PROW routes. The

Transport and Traffic Assessment should cover aspects of:

Detailed consideration of temporary severance and diversion impacts
Maintenance of safe and convenient access wherever possible
Clear proposals for temporary diversions and reinstatement

Public rights of way should be taken into account across a number of the ES chapters and not just within the Transport section. In particular the landscape section to identify important views from PROWs both within the site and surrounding it, and the Public Health section to establish impacts of loss of views and change in the character surrounding the PROWs including impact of mitigation.

The potential requirement for abnormal indivisible loads (AILs) is identified. The LHA advises that the ES should identify likely AIL routes and assess their suitability. Swept path analysis may be required for constrained junctions' Temporary works or mitigation may be necessary to facilitate safe movement. Early communication with ERYC's Abnormal loads team is advised on abnormal.loads@eastriding.gov.uk.

The LHA agrees that the operational traffic will be minimal and limited to maintenance activities and these impacts can reasonably be scoped out of detailed assessment.

Mitigation and Management

Given the scale, duration and dispersed nature of construction activities, and the sensitivity of the local highway network within the East Riding, a Transport Assessment should robustly assess impacts on highway capacity, safety, network operation and non-motorised users. The Transport Assessment should also inform the preparation of an appropriate Construction Traffic Management Plan and ensure that impacts can be effectively mitigated.

The reliance on a Construction Traffic Management Plan (CTMP) is appropriate and supported in principle. However, at this stage mitigation remains high-level. The LHA therefore requests that the ES includes an oCTMP which makes provision for the following:

Agreed HGV routing strategy, including HGVs and LGVs

Traffic management measures

Details of pre and post construction dilapidation surveys including remedial works

Phasing of works and associated traffic generation. It is requested this identifies local schools and avoids pick up/drop off times.

Measures to minimise peak hour impacts

Temporary access points and details

Temporary vehicular crossing points

Cable run crossing points and details, it should be noted that all classified roads and roads that have excessively long diversions or no alternate access will need to be

Horizontal Directional Drilled

Construction compounds

Haul routes and internal access tracks

Construction Workers Travel Plan

Cumulative Impacts

The LHA notes that cumulative impacts are referenced but not yet fully assessed.

The ES should include assessment of cumulative traffic impacts which should include other major infrastructure projects and committed developments within the area of traffic

routing.

Consideration of overlapping construction programmes and network effects should be taken into consideration in the Transport Assessment.

Conclusion

The LHA considers that Section 12 (Transport and Access) provides an appropriate high-level framework for assessing the transport and movement impacts associated with the Proposed Development. However, the assessment remains preliminary and is subject to several key uncertainties, including the lack of a clearly defined study area and affected routes, the absence of detailed baseline traffic data, limited information on construction logistics and routing, and reliance on mitigation measures that are not yet defined in detail.

On this basis, the LHA requests that the scoping response is subject to a number of requirements being satisfied. These include the agreement of the scope and methodology of the Transport Assessment prior to submission of the Environmental Statement, the provision of detailed transport modelling and robust baseline data, the preparation of a comprehensive Outline Construction Traffic Management Plan (oCTMP) in consultation with the LHA, and a full assessment of impacts on rural networks and sensitive receptors. Appropriate mitigation must also be identified and secured to ensure that all impacts are reduced to an acceptable level.

Carbon and Climate Change

No comments to make.

Noise and Vibration

The Description of Development (chapter 5) and the Noise and Vibration section (chapter 14) provide sufficient reassurance that the appropriate monitoring considerations have been scoped in, along with the appropriate standards and guidance in relation to noise and vibration. ERYC consider that the proposed methodologies will provide sufficient and appropriate data to inform mitigation strategies as necessary.

Human Health

The proposed Human Health assessment set out in Chapter 15 provides a positive starting point. The use of a population health approach based on ISEP guidance, the identification of Human Health study areas at site-specific, local, regional and national level (paragraphs 15.3.2-15.3.5), and the commitment to bring together evidence from noise, transport, socio-economics, climate change, hydrology and landscape (paragraph 15.7.5) is appropriate. The applicant's recognition of community concern, mental wellbeing, EMF perceptions and battery safety through the 'public understanding of risk' determinant (Table 15-4) is also a positive and proportionate approach. However, there are several areas where ERYC consider the scope should be strengthened before the Environmental Statement (ES) is prepared.

Local Health Impact Assessment guidance

Paragraph 15.2.1 states that East Riding of Yorkshire Council does not have specific local Health Impact Assessment (HIA) guidance. For clarity, whilst ERYC has not published standalone HIA guidance, the Public Health Team holds a Health Impact Assessment framework which is available to the applicant on request.

Health inequalities and vulnerable populations

The scoping report appropriately identifies vulnerable population groups (paragraph 15.5.2) and areas of deprivation within the study area. However, it is not yet clear how multiple disadvantages affecting the same communities will be assessed, or how the sensitivity criteria in Table 15-5 will be used to identify those most affected by the Proposed Development.

The ES should map deprivation, long-term health conditions, age profile and other vulnerability indicators at MSOA/LSOA level, identify where multiple disadvantages overlap with the site-specific study areas, and explain how mitigation will be targeted towards these populations.

Mental health and wellbeing

It is noted that mental health and wellbeing effects arising from noise and vibration, visual change, community identity and culture, and community concern are included in the assessment through Table 15-4. However, these effects are currently spread across several determinants rather than being considered as a single, joined-up assessment.

The ES should include a clear assessment of mental health and wellbeing across all project phases. This should consider the effects of uncertainty, perceived risk, trust in the development process, sleep disturbance, community cohesion alongside the physical environmental impacts assessed elsewhere.

Visual and landscape change is likely to be a significant issue for local communities. Mitigation in the form of landscape planting, buffer zones and controls on lighting can help reduce potential effects on mental wellbeing, sense of place and community concern. The Human Health chapter should clearly explain how the mitigation measures in Chapter 11 (paragraphs 11.6.1 – 11.6.6) will mitigate health impacts and provide reassurance to affected communities. In addition, the assessment should consider whether the proposed landscape planting, habitat creation and green infrastructure enhancements could deliver longer-term benefits for wellbeing, recreational opportunities and access to nature, particularly where these improvements are accessible to local communities.

Given the importance of visual effects to public perception, Zone of Theoretical Visibility (ZTV) mapping and photomontages should be shared with affected communities as early as possible once available. We note these have not yet been prepared at the scoping stage (paragraph 11.3.6).

Cumulative impacts of multiple NSIPs and energy infrastructure

Paragraphs 15.8.12-15.8.14 describe a cumulative and interactive effects methodology, but this does not explicitly identify the potential combined psychological, social and wellbeing effects of multiple large-scale infrastructure schemes progressing at the same time across East Riding of Yorkshire and the wider sub-region.

The cumulative health assessment should consider the combined burden of repeated consultations, prolonged construction activity and sustained uncertainty on affected communities, including impacts on wellbeing and community resilience. It should also identify other planned or proposed schemes that need to be considered cumulatively at the earliest opportunity.

Community engagement as a health determinant

Paragraph 15.7.1 confirms that no consultation has been undertaken to date for Human Health, with engagement with East Riding of Yorkshire Council, Kingston upon Hull City Council, UKHSA and OHID proposed following issue of the Scoping Opinion.

Good engagement can help reduce community concern and support wellbeing. We therefore consider this consultation should be prioritised. The ES should explain how vulnerable and seldom-heard groups have been engaged, how feedback has influenced the scheme, and how engagement will continue through construction, operation and decommissioning.

Public rights of way, active travel and access to nature

The commitments relating to Public Rights of Way management and the recognition that health impacts include both physical and mental health outcomes arising from changes to access and the local environment is noted. The outline PRoW Management Plan is appropriate.

The ES should quantify, where possible, the health benefits of enhanced walking, cycling and recreational access, confirm that any diversions will be of comparable or better quality, and identify opportunities for new connections or permissive routes.

Health service impacts

ERYC do not agree with the scoping out of 'health and social care services' in Table 15-3. The rationale relies on an assumption that the majority of the workforce will be home-based; however, construction workforce numbers and workforce origins have not yet been confirmed. We also note that a detailed Employment and Skills Plan has not yet been provided.

Given the scale of the Proposed Development and existing pressures on local health services, we consider a proportionate assessment of potential impacts on primary care, urgent care and wider health services should remain within the scope of the ES until there is sufficient evidence to demonstrate that effects are likely to be negligible.

Agricultural land quality and food security

We note that the Agricultural Soils chapter identifies a high proportion of Best and Most Versatile (BMV) agricultural land within the Site Boundary, with the southern land parcel comprising approximately 50% Grade 2 land alone. Whilst the 'diet and nutrition (including access to healthy affordable food)' determinant has been scoped out in Table 15-3, we consider the Human Health chapter should still acknowledge the findings of the Agricultural Soils assessment and any implications for longer-term food system resilience, particularly given the proposed operational lifespan of up to 60 years.

The ES should cross-reference the detailed Agricultural Soils assessment once the Agricultural Land Classification surveys are complete, ensuring any relevant implications for food production, food security and population health are transparently considered.

Integrated health summary

Health impacts are expected to draw on a wide range of technical chapters including noise, transport, socio-economics, climate change, hydrology and landscape (paragraph 15.7.5). The ES should include a standalone health summary that brings together findings from all relevant chapters, clearly identifying who may be affected, how impacts could affect health, what mitigation is proposed and any remaining effects. This will make the overall health implications of the Proposed Development easier for communities and decision-makers to understand.

Biodiversity net gain, green infrastructure and PRoW enhancement

The commitment to deliver Biodiversity Net Gain and opportunities for permissive paths and recreational access (paragraphs 5.2.40-5.2.41 and 6.6.4-6.6.6) is noted. The ES should explain how these measures contribute to health and wellbeing through the 'open space, leisure and play'

determinant and demonstrate alignment with the Hull and East Yorkshire Local Nature Recovery Strategy where appropriate. It should also clearly identify the green infrastructure, habitat enhancement and access improvements that will deliver these benefits.

Socio-economics

The Report provides a clear definition of the Proposed Development, albeit with some design details which have not been fully designed out at this stage, the nature of the development and red line boundary showcases the areas which will be considered for development, and the expected geographical area it will cover. There is detailed information on the construction, operations and maintenance, and decommissioning elements of the project. All potentially significant socio-economic effects appear to have been identified in the relevant section.

Other local plans, which may be relevant to the Proposed Development and require consideration include, Hull and East Yorkshire Combined Authority's Get Hull & East Yorkshire Working Plan, and the updated Local Skills Improvement Plan (LSIP), expected to be published in summer 2026.

Other local data sources which may assist to characterise the baseline include, East Riding Intelligence Hub and East Riding Local Economic Assessment (LEA) Dashboard.

The Scoping Report suggests that the Proposed Development has the potential to generate beneficial effects in relation to employment and supply chain. East Riding of Yorkshire Council's Supply Chain Network project can support all phases of the Proposed Development (<https://thesupplychainnetwork.co.uk/>).

We ask that it be included in the Environmental Statement/DCO application.

We would encourage The Applicant and their supply chains to engage fully with this resource, signing up to the 'Supply Chain Promise' (<https://thesupplychainnetwork.co.uk/promise/>) and using the 'Opportunity Map' (<https://thesupplychainnetwork.co.uk/opportunities/>) to promote specific opportunities to local businesses.

The scoping report identifies that stakeholder engagement has not been undertaken with the Director of Planning and Economic Development at East Riding of Yorkshire as yet and would comment that this would be essential for the next steps so that details for the socioeconomic conditions for the project can be scoped in and identified early on.

The Scoping Report makes references to some elements of Employment and Skills however a full plan with numbers of jobs required and the detail around these as a full Plan has not been included. We request that one be included in the Environmental Statement/DCO application.

Comments on Topics to be scoped out

Air Quality

No comments to make.

Land Quality and Groundwater

The LLFA/LDT does not have concerns related to Land Quality and Groundwater being scoped out provided robust groundwater and contamination assessments demonstrate there are no significant effects on groundwater resources, infiltration SuDS, existing land drainage or the quality of receiving watercourses. Should infiltration drainage be proposed or contamination encountered during site investigations, these matters should be reassessed and included within the

Environmental Statement where necessary. Potential impacts and management of BESS should be included.

Glint and Glare

It is noted it is proposed to include a separate chapter appended to the ES on the potential impacts of glint and glare. Although Environmental Control would normally only comment on artificial lighting, the potential for reflected light to cause adverse impact on residents should be addressed as stated.

Material Assets and Waste

No comments to make.

Major Accidents and Disasters

No comments to make. Emergency responses to BESS accidents or fires should be addressed.

Heat and Radiation

No comments to make.

Electric, magnetic and electromagnetic fields (EMF)

No comments to make.

Wind Micro-climate

No comments to make.

Lighting

Environmental Control note the inclusion of control measures for construction and decommissioning lighting within the oCEMP and oDEMP, along with the effects of operational lighting being considered in a standalone chapter and submitted as an Outline Lighting Strategy as part of the DCO application.

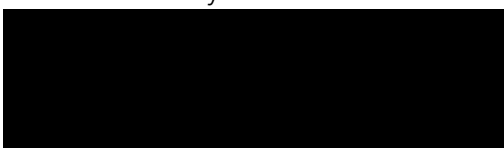
Utilities

No comments to make.

Transboundary Effects

No comments to make.

Yours sincerely

A large black rectangular box redacting the signature of the Interim Executive Director.

 MRTPI

Interim Executive Director of Prosperity and Place

██████████
Environmental Services Infrastructure
Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Reference: OR-0007331/01
Customer reference: EN0110018

28 July 2026

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) –
Regulations 10 and 11**

**Proposed application by Clean Air Renewables Limited (the applicant) for an
Order granting Development Consent for the Clean Air Solar Farm (the
proposed development)**

**Scoping consultation and notification of the applicant's contact details and
duty to make available information to the applicant if requested**

Thank you for referring the above scoping consultation for comment on 30 June
2026.

The Environment Agency has reviewed the Clean Air Solar Farm Scoping Report, by
Logika Consultants, dated June 2026, ref. 17505A.

We take issue with the scope of the Environmental Impact Assessment (EIA) as
currently defined and would recommend further issues are scoped in to meet the
requirements of the EIA regulations.

Further detailed comments are provided within the following appendices:

- Appendix A – Comments on the scope of the EIA
- Appendix B – General advice on the proposals and EIA content
- Appendix C – Additional advice for the Applicant

Section 120 and Section 50 of the PA2008 allows the inclusion of non-planning consents, permits and licences to be included within the DCO, removing the requirement for the Applicant to apply for them separately. This is called 'disapplication'.

If Applicants are seeking to disapply any of the permitting legislation, they should contact the Environment Agency as early as possible. The Environment Agency will consider requests to disapply on a case-by-case basis. The Applicant should provide sufficient information with their request to disapply for the Environment Agency to be able to make the above decisions about the activity. Further information on the criteria which we apply when considering this is included in Appendix C.

When the Environment Agency have agreed to disapply their legislation they have developed a set of standard Protective Provisions, that are available upon request. It is important for the Applicant to note that the Environment Agency holds the ultimate decision and the right to refuse any request to disapply.

Please note this response does not represent our final view in relation to any future DCO, or any environmental permit applications made to us. Our final views will be based on all relevant information including applications and guidance available at the time of submission.

We trust our advice is useful. If you have any queries please don't hesitate to contact me.

Yours faithfully


Planning Specialist – National Infrastructure
@environment-agency.gov.uk

Appendix A – Comments on the scope of the EIA

Peat disturbance

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026 Ref: EA01	
Issue	Peat has not been scoped in as a potential important receptor. Neither has it been considered in the baselining of the site (Para 13.4.8) Both the Northern Land Parcel and northern part of the cable routes are indicated to be overlapping areas of 'deep peaty soils' as indicated by the peaty soils map 2008. This is not reflected in the EIA scoping report which has only identified surface peaty soils in the cable route area from the NATMAP National Soil Map for England and Wales.
Impact	Peat has a significant role as a carbon and water store. If peat is present on the site, the applicant must demonstrate that the impact on the peat carbon does not outweigh the benefit of the development as per EN3 2.10.148. In addition, the clean power plan 2030 indicates that lowland peat soils under solar should be rewet to lower their emissions. This is also indicated in EN3 2.10.119. The rewetting itself is likely to have considerations that need to be scoped in around flooding and water resources in the design of a feasible rewetting plan.
Solution	Disturbance of peat soils and impacts on carbon should be scoped into the EIA and its baseline, until the presence or absence of peat can be confirmed via an appropriate method for a lowland setting such as coring. If confirmed as present, the EIA should include an outline peat management plan to avoid, minimise and mitigate any disruption to the peat. Also, if confirmed present, the outline habitat management plan should be updated to reflect the plan to rewet the peat.
Additional narrative/ explanation (if necessary) It is noted that the England Peat Map 2025 does not indicate the presence of peat, but this is a predicative map which is acknowledged to be inaccurate in areas of lowland peat ¹ . It is therefore reasonable to use the older map in these areas. <u>1 England Peat Map Project Final Report ,May 2025 ,Natural England Research Report 149</u>	

Groundwater and contaminated land

Document Reference(s): chap. 18

Ref: EA02

Issue	Land and Groundwater are proposed to be scoped out.
Impact	Effects on potable water supplies, waterbodies and ecosystems could be missed.
Solution	Contaminated land, and prior and proposed land uses on ground and surface waters, should be scoped in. Effects on Groundwater flow should be scoped in

Additional narrative/ explanation (if necessary)

There are highly sensitive receptors that may be affected by the proposed development, including:

- Source protection zones (SPZ) 1, 2 and 3
- Groundwater Dependent Terrestrial Ecosystems (GWDTE)
- Water Framework Directive Groundwater Body
- Springs
- Potable water supplies

Unassessed Pathways including:

- Shallow groundwater in connection with surface water
- Potential karstic dissolution features

Un-noted Baseline sources of contamination including:

- Disused Railways
- Former RAF Base Leconfield
- Hydrocarbon wells

While we recognise the applicant is proposing Tier 1 Land contamination Desk Studies, these would not include disruption of groundwater flow paths that may be affected by the engineering of the development or reflect the potential magnitude of impact relating to some of these concerns.

Document Reference(s): chap. 7 & 18

Ref: EA03

Issue	The Water Environment Regulations 2017, the local River Basin Management Plan and the WFD Groundwater Body, Hull and East Riding Chalk, have not been mentioned or scoped in.
Impact	There is the potential for detrimental impacts to this waterbody resulting from the proposal, leading to non-compliance with the River Basin Management Plan
Solution	WFD Groundwater body Hull and East Riding Chalk should be scoped in.

Additional narrative/ explanation (if necessary)

We note Fig. 7-3 identifies surface waterbody catchments under WFD.

Document Reference(s): table 19-1

Ref: EA04

Issue	Heat as a pollutant is proposed to be scoped out. This is of particular concern for this development due to the presence of shallow groundwater in hydrological connection with the surface water and presence of GWDTEs. Heat as a groundwater pollutant was introduced in 2023 via the <u>Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023 SI No.2023/651</u>
Impact	Risks to Controlled Waters and GWDTE if the impact of heat is not considered.
Solution	Scope in the heat effect of buried cabling on groundwater and GWDTE and provide assessment of potential impacts.

Additional narrative/ explanation (if necessary)

Heat as a groundwater pollutant was introduced in 2023 via the Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023 SI No.2023/651:

““pollutant”, in relation to England, means any—

1. substance,
2. heat, or
3. biological entity or micro-organism,

which is liable to cause pollution;”

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 a 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.

Please see **Appendix C** (Additional advice for the Applicant) for heat pollution guidance in reference to permitting and desk-based risk assessments.

Document Reference(s): chap. 18, para. 18.3.3

Ref: EA05

Issue	The geographical scope of groundwater and land contamination considerations is inconsistent.
Impact	Key controlled water receptors will be missed.
Solution	Utilise a 1km buffer for baseline data and analysis, or ensure searches are done with the suggested 250m land and soil receptors and 1km Controlled Waters receptors.

Additional narrative/ explanation (if necessary)

Chapter 18 states 250m will be used as a base distance, with 1km being used for controlled waters. However the report then uses 500m for some receptors and 250m for some controlled waters receptors.

For clarity and risk minimisation, as well as to allow for the risks of rapid movement through any karstic features that may be present in the underlying Principal Aquifer, 1km should be used to ensure risks are appropriately assessed.

Fisheries

Document Reference(s): chap. 6, para. 6.2.1

Ref: EA06

Issue	The Salmon and Freshwater Fisheries Act 1975 and The Eels (England and Wales) Regulations 2009 have not been included in the list of legislation that is relevant to biodiversity. Therefore, the legal responsibility on the developer pertaining to this fish-specific legislation has not been considered.
Impact	This infers that the impacts on fish from the construction, operation and decommissioning have not been fully considered.
Solution	Both pieces of legislation should be listed as relevant in the biodiversity chapter of the ES and submitted as part of the DCO.
Additional narrative/explanation: Parts of The Salmon and Freshwater Fisheries Act 1975 relevant (but not exhaustive) to this type of development that should be considered, include: Part 1, Sections 2 and 4. Parts of The Eels (England and Wales) Regulations 2009 relevant (but not exhaustive) to this type of development and that should be considered, include: Part 4.	

Document Reference(s): chap. 6, para. 6.3.94

Ref: EA07

Issue	Coarse fish species have not been mentioned within the report and, as such, it is unclear if they are scoped in.
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Impact	If coarse fish are not considered in the assessment, then impact-pathways may not be assessed, leading to impacts as severe as mortality and habitat loss. Coarse fish species form part of the biological quality element of the WFD status of a waterbody and therefore must be considered as part of the WFD assessment.
Solution	As well as migratory, diadromous fish, coarse fish species must be considered.
Additional narrative/ explanation (if necessary) All freshwater species are protected under the Salmon and Freshwater Fisheries Act. It is an offence to wilfully disturb any spawn or spawning fish, or any bed, bank or shallow on which any spawn or spawning fish may be.	

Document Reference(s): chap. 6, table 6-6 Ref: EA08	
Issue	Fish have been omitted from activities that are likely to have an impact unless appropriately managed.
Impact	Specifically, noise during construction near watercourses, dust deposition, fine material and use of chemical and pollutants when entering watercourses, as well as increased lighting where near watercourses which can have a behavioural impact on fish. All these activities have the potential to impact fish.
Solution	Ensure that all impact-pathways to fish species are assessed. If there is a reason not to consider fish, then this needs to be justified with evidence.

Biodiversity

Document Reference(s): chap. 6, para. 6.2.1 Ref: EA09	
Issue	Although the report discusses how BNG will be approached, the section on 'policy, legislation and relevant guidance' does not include legislation pertaining to BNG.

Impact	Risk of not considering environmental definitions in legislation in respect of BNG, such as 'irreplaceable habitat', along with related offences to said habitats.
Solution	For completeness, please include the following legislation, policy and guidance: Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024.
Additional narrative/ explanation (if necessary) As an advisory, we recommend that the applicant follows the guidance recently released by DEFRA regarding BNG and NSIPs (published June 2026). <u>This can be viewed on the gov.uk website.</u>	

Flood Risk

Document Reference(s): chap. 7, table 7-4 Ref: EA09	
Issue	Tidal flood risk has been scoped out of the construction, operation, and decommissioning phases of the development. There is a tidal influence on the River Hull, and the flood defence assets to the east of the northern land parcel are classed as fluvial/tidal in nature.
Impact	Tidal flood risk impacts to and from the proposed development could be underestimated. Although tidal modelling does not show encroachment onto the site, with climate change tidal risk could impact the development, and be impacted by the development.
Solution	Tidal flood risk should be scoped in for the construction, operation, and decommissioning phases of the development
Additional narrative/ explanation Tidal modelled extents for the River Hull do not encroach into the land parcels in any notable way based on the River Hull and Holderness Drain modelling (Halcrow, 2013). However, the climate change uplifts applied to this modelling are old and, additionally, the modelling does not consider a Credible Maximum (H++) scenario from a tidal perspective.	

On this basis it is premature to scope out tidal flood risk until further evidence has been provided, particularly in the context of a tidal Credible Maximum (H++) scenario. Furthermore, the potential for tidal/fluviat interaction should be considered by way of sensitivity testing within the Hull and Holderness drain (2013) hydraulic model.

It may be that this issue is not of concern, considering the presence of the Hull Barrier, but this should be investigated before tidal flood risk is scoped out.

Water Resources

Document Reference(s): chap. 7; chap. 18, table 7.5

Ref: EA10

Issue	We welcome water resources being scoped in, however potential receptors have been omitted, including abstraction licenses. The Environment Agency has also identified several water supplies that are potable where the report (18.3.1) claims there are none.
Impact	Lawful water users and their abstractions may suffer derogation as a result of the scheme if receptors are not correctly identified.
Solution	Both surface water and groundwater abstractions should be scoped in for impacts in context of the potential for pathways for quantitative and water quality impacts, and it should also be made clear where these are potable.

Additional narrative/ explanation (if necessary)

Abstraction licence data can be requested from the Environment Agency. Private water supplies also exist outside of regulation, data for which can be requested from the local authority.

It is possible the report is not identifying food and drink production and domestic use as potable. All supplies for human consumption or food production have a default (unpublished) SPZ1 as detailed in [the Environment Agency's approach to groundwater protection](#).

Water Quality

Document Reference(s): chap. 7, table 7-4

Ref: EA11

Issue	Erosion and sediment during operation is scoped out.
Impact	Without a Surface Water Drainage Strategy, the assessment of pollution risk from sediment and impacts on water quality has not been assessed. Management measures are unknown; consequently water quality could be deteriorated by suspended sediment and turbidity.
Solution	Scope in erosion and sediment during operation.

Appendix B – General advice on the proposals and EIA content

Groundwater and contaminated land

Document Reference(s): chap. 2, table 2-1; chap. 7; chap. 18	
Issue	There are SSSIs within 2km of the proposals which are also Groundwater Dependent Terrestrial Ecosystems (GWDTE), but this has not been acknowledged within the report.
Impact	Effects on a SSSI/GWDTE may go unassessed due to specific pathways and risks associated with this ecosystem not being understood.
Solution	Ensure the GWDTE status is utilised in analysis of potential effects.
Additional narrative/ explanation (if necessary)	
The following SSSI sites are all within 2km of the proposed site boundary or cable search area and are designated GWDTE:	
• Pulfin Bog • Bryan Mills Field • River Hull Headwaters	
GWDTE's are ecosystems in direct hydraulic connection with a groundwater body that may also be dependent on the concentrations of substances (and potential pollutants) within that groundwater body. As such they are especially vulnerable to mobilisation of land contamination.	

Document Reference(s): chapter 7, para. 7.8.7	
Issue	Table 7-6: Receptor Sensitivity Criteria is unclear as to what sensitivity will be used where multiple exist.
Impact	Sensitivity or impacts could be under ascribed resulting in increased risks to controlled waters.
Solution	It should be ensured that the highest sensitivity will be utilised where multiple exist.

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026	
Issue	The report either does not include or does not consistently include reference to the Environment Agency's Approach to Groundwater Protection, February 2018.

Impact	Compliance with relevant laws may be missed and best available practice may not be used increasing risk to controlled waters.
Solution	Refer to and follow all relevant guidance and legislation in further assessments and plans.

Document Reference(s): chap. 5	
Issue	Maximum depths of deep foundations, piling and ground improvement methods have not yet been established
Impact	The creation of new preferential pathways or otherwise result in the mobilisation of contamination or alter groundwater flow paths if not adequately mitigated.
Solution	Supply maximum expected depths for all features. A Foundation Works Risk Assessment (including for the Photovoltaic arrays) should be produced in areas of sensitive groundwater such as in Secondary A aquifers, SPZs or where other receptors may be linked.
Additional narrative/ explanation (if necessary) We recognise that detailed design information will not be present at this stage of the project. However, to be able to determine the extent of possible impacts we recommend the applicant supplies maximum reasonably expected depths for all features interacting with the sub surface. Piling and penetrative ground improvement methods should be designed in accordance with CL:AIRE guidance '<u>Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention</u>', published March 2025.	

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026	
Issue	Installation of Ducting and Joint Bays for cabling.
Impact	Introduction of preferential pathways for pollutants at all stages.
Solution	Include these as pathways in future assessments.
Additional narrative/ explanation (if necessary) Preferential pathways can allow for the rapid and less predictable spread of any pollutants that reach them. This can lead to higher risk of receptors at greater distances being affected, or of pollutants reaching receptors faster than would be expected. As such, we believe all preferential pathways identified should be included in any assessments of risk and hazard. Design phase should assess methods such as Clay Stanks, other barriers, or methods to limit the migration of potential contaminants. The practicality of future removal of these assets at demolition and decommissioning should be included at the design phase.	

The DEMP should include methodology and planning for deciding what assets should remain in-situ or be removed based on guidance that has been issued in the intervening years from the approval of the DEMP.

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026

Issue	Horizontal Directional Drilling (HDD) will be employed to cross beneath watercourses or existing buried utilities.
Impact	HDD or other trenchless installation methods could impact groundwater or surface water quality if not suitably managed. Bentonite pellets which are used to make drilling fluid for horizontal directional drilling can also be coated in PFAS.
Solution	HDD crossings should be supported by the development and implementation of a Drilling Fluid Breakout Plan and a hydrogeological risk assessment. Entry and exit pits must be at least 10m away from top of bank of watercourses. PFAS-free materials should be used.

Additional narrative/ explanation (if necessary)

Due to the risks both from pollution and disruption of sub-surface flows in shallow groundwater and to surface controlled water, a Hydrogeological Risk Assessment, Drilling Fluid Breakout Plan and water feature survey should be conducted for areas of the development where HDD is proposed to be used.

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026

Issue	Unexpected contamination may be encountered by the development
Impact	If a protocol for how to manage unexpected contamination in accordance with Land Contamination Risk Management (LCRM) guidance is not proposed risks to controlled waters may not be adequately assessed and mitigated.
Solution	Ensure that a commitment to managing unexpected contamination is included in the Construction Environment Management Plan and Demolition Environmental Management Plan.

Additional narrative/ explanation (if necessary)

We would welcome the opportunity to be consulted on the approach for managing unexpected contamination.

Our suggested process is:

1. In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, then no further

development (unless otherwise approved in writing by the relevant authorities) shall be carried out within the identifiable perimeters of the area in which the suspected contamination is located. It must be reported as soon as reasonably practicable to the local planning authority, and where necessary, the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the local planning authority, and where necessary, the Environment Agency.

2. Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the local planning authority, following consultation with the Environment Agency.
3. Remediation must be carried out in accordance with the approved scheme under sub paragraph (2).

Following the implementation of the remediation strategy approved under sub-paragraph (2), a verification report, based on the data collected as part of the remediation strategy and demonstrating the completion of the remediation measures must be produced and supplied to the relevant planning authority and the Environment Agency.

The CEMP, OEMP, and DEMP should include a discovery strategy and information on toolbox talks to be issued to groundworkers who may encounter unexpected contamination.

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026

Issue	Buffer Distances are not set. We recognise that this will be done at design stage and will vary depending on the receptors present
Impact	Potential contamination may be present and disturbed by activity or receptors may be put at risk by the introduction of new pathways.
Solution	Final design and CEMP should contain specific Buffer distances for relevant receptors and sources.

Additional narrative/ explanation (if necessary)

Buffer distances are an important way to prevent damage to receptors by preventing a pathway between sources of contamination and receptors that could be put at risk by them. However, it would be unreasonable to expect the applicant to at this stage have a full set of buffers set for each receptor and would expect this to be developed through the further assessments that will be completed.

Document Reference(s): chap. 18	
Issue	No Baseline information has been provided for the cable search corridor.
Impact	The intrusive laying of cabling via trenching and horizontal drilling would be a key component of the scheme posing a risk to groundwaters. Controlled waters could be put at risk as they will not be identified for mitigative actions to prevent damage.
Solution	Baseline information should inform the Tier 1 assessment and technical note proposed for the cable search area.

Document Reference(s): Clean Air Solar Farm, Scoping Report, June 2026	
Issue	WFD Groundwater body Hull and East Riding Chalk is currently at poor quantitative status due to Saline Intrusion. In addition, elevated nitrate is being noted at several groundwater abstractions.
Impact	Development may inadvertently worsen ongoing issues with groundwater quality and quantity issues if this is not considered. Any changes to groundwater flow through sub surface infrastructure installation, changes to infiltration, dewatering could make these issues worse.
Solution	Mitigations and assessments should consider ongoing local issues with groundwater and take full consideration of RBMP implications.

Geomorphology

Document Reference(s): chap.5, para. 5.2.33 & 5.3.2	
Issue	It is proposed that existing watercourse crossing locations are to be used for temporary access where possible and upgraded where necessary.
Impact	Poorly designed and/or located watercourse crossings for access may harm the aquatic environment e.g. siting a crossing on a river bend may result in scour and erosion of the outside bank, outflanking the crossing structure. Culverts fragment watercourses and enclose habitats, lowering the quality of the channel for wildlife. Some species (such as otter) will struggle to travel through culverts and will travel over-land to the culvert exit, which puts them at risk of becoming road mortality. The Environment Agency has a general policy against the use of culverts due to the harm to WFD status that they can cause.

Solution	Ensure that crossings are appropriately located, e.g. on straight sections. Clear-span bridges should be considered if crossings are required across wet (i.e. non-ephemeral) watercourses, as these maintain habitat connectivity and allow species to commute freely. Strongly encourage removal of any existing culverts to further enhance watercourses. If existing crossings are to be used for access and require upgrade, consider upgrading to next level in the water course crossing hierarchy. If an existing access crossing is located on a watercourse bend, consider resiting the crossing point to a more appropriate location.
Additional narrative/ explanation (if necessary) Please see the general considerations set out in Appendix C .	

Document Reference(s): chap. 6, para. 6.3.93	
Issue	It is stated that directional drilling will be used where possible to install watercourse cable crossings.
Impact	This is welcomed as the primary method in the mitigation hierarchy (to avoid) however risks remain where directional drilling is determined not to be practical. Open cut trenching through a watercourse damages sedimentary bedforms and may cause weakening of the bed and banks which can be exploited as preferential pathways for erosion/scour. This can have a detrimental effect on the watercourse, and potentially on downstream waterbodies.
Solution	The cable route should look to avoid valuable habitat and where open-cut crossings are proposed, this should ideally be on straight sections to avoid erosion. Locations should be assessed on a case-by-case basis considering the sensitivity of the receptor and robust mitigation measures. Fish surveys must be completed in order to understand the sensitivity of the fish species present. Crossing locations should be reinstated to pre-construction conditions or better, preferably using sediments taken from the crossing location and restored to maintain, as close as possible, existing geological/sedimentary layering and allow the re-establishment of bedforms.
Additional narrative/ explanation (if necessary)	

Reinstatement of bankside habitats along watercourses and ditches should be considered after completion of any bank or channel works. This could include sowing the bankside habitats with a species rich locally appropriate sward, and erecting fencing to prevent livestock access.

Biodiversity

Document Reference(s): chap. 5, paras.5.2.28-5.2.32

Issue	The development proposes to connect the solar land parcels to a substation via underground cables in a grid connection corridor. This will likely involve open-cut trenching.
Impact	Compounds and trenches associated with cable installation present a risk of entrapment of mammals such as otter.
Solution	Cover-over open trenches to prevent wildlife from falling in and place a ramp to enable wildlife to escape. Securely fence compounds and trenches during construction.
Additional narrative/ explanation (if necessary) Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.	

Document Reference(s): chap. 5 paras. 5.3.14 & 5.4.4

Issue	Baseline information indicates that Invasive and Non-Native Species (INNS) are present on site and INNS have been scoped into the assessment. It is unclear, however, how it is intended to manage these risks. Proposed outline management plans do not include INNS or Biosecurity Management and Commitments C26 and C32 of the Scoping Commitments Register do not specify that such matters will be addressed as part of the oCEMP or the oLEMP.
Impact	It is a risk if this issue is not managed appropriately because there will be a breach of Section 14(2) of the WCA. It is an offence to plant or otherwise cause to grow in the wild any plant listed in Part II of Schedule 9 to the Act.
Solution	An INNS or Biosecurity Management Plan should be submitted in support of the application, or details included within the oCEMP and oLEMP.
Additional narrative/ explanation (if necessary) Following successful control of INNS during the construction stage, there is a high risk that INNS can re-invade sites due to accidental re-introduction by animals or	

site operatives, therefore land managers should monitor for any INNS, and enact control and management measures should INNS be recorded.

Fisheries

Document Reference(s): chap. 6, paras. 6.3.88 & 6.3.92	
Issue	Fish habitat has been classed as low to moderate ecological value, but it is unclear what evidence has been used to support this.
Impact	Without an understanding of how fish habitat is classified in this part of the assessment, there is no context and as such the receptors may be undervalued.
Solution	If fish habitat assessments have been conducted, then these should be presented with the supporting methodology. The assessment must define what is classed as low or moderate quality habitat.

Flood Risk

Document Reference(s): chap. 7, para. 7.8.4 See also App. A, ref. EA09 within our response.	
Issue	Tidal and fluvial boundary conditions within the Hull and Holderness Drain (2013) hydraulic model may no longer be representative of current conditions.
Impact	The assessment of flood risk could be inaccurate.
Solution	Confirm that the tidal and fluvial boundary conditions used within the 2013 Hull and Holderness Drain model remain appropriate and update them where necessary.
Additional narrative/ explanation Para. 7.8.4 notes that, given the risk of flooding to the northern land parcel, fluvial flood modelling will be undertaken to inform the baseline assessment of flood risk. This is welcomed. The fluvial and tidal boundary conditions applied to the River Hull and Holderness Drain hydraulic model (Halcrow, 2013) are quite old and, additionally, the climate change allowances applied to the boundary conditions have since been superseded by more recent estimates as part of UKCP18. The applicant should review the boundary conditions within the hydraulic model to ensure they are still representative with regards to fluvial and tidal flood risk. If the boundary conditions in the existing model are similar or more conservative when compared to more recent estimates it would be reasonable to retain them. Conversely if they are underestimated, they should be updated or sensitivity testing undertaken to demonstrate how this may influence model results.	

When updating existing hydraulic models and building new ones, please consider the guidance on Using modelling for flood risk assessments available online at: [Using modelling for flood risk assessments - GOV.UK](#)

Document Reference(s): chap. 7, para. 7.8.5

Issue	Uncertainties exist in the flood risk evidence for the southern land parcel.
Impact	The assessment of flood risk could be inaccurate.
Solution	Review the flood risk datasets used to inform the southern land parcel design and assess whether there are any evidence gaps or uncertainties associated with smaller catchments and Ordinary Watercourses.

Additional narrative/ explanation

Para. 7.8.5 proposes that flood modelling is not required for the southern land parcel due to the area's baseline flood risk and the use of underground cabling.

There are no Main Rivers which cross the southern land parcel area, but there are some smaller Ordinary Watercourses that do. Some flood risk for these watercourses is shown by the Flood Map for Planning and the Surface Water Spatial Planning dataset (May 2026).

Whilst it may be reasonable to not undertake detailed modelling for the southern land parcel, the applicant should look to sequentially site infrastructure to areas of no flood risk. Where infrastructure cannot be entirely avoided in flood-prone areas, the applicant should demonstrate that existing flood risk datasets, including the Risk of Flooding from Rivers and Sea and Surface Water Spatial Planning datasets, provide a sufficiently robust basis for determining design flood levels and identifying any necessary mitigation measures.

Document Reference(s): chap. 7, para. 7.8.14

Issue	A Flood Risk Assessment (FRA) will be prepared for the site as an appendix to the Environmental Statement. No detailed flood risk information has been submitted as part of the scoping report.
Impact	As the FRA has not been submitted at scoping stage, it is not possible to provide detailed comments.
Solution	A draft FRA should be submitted for comment and discussion at the earliest opportunity.
	In accordance with National Planning Policy Framework and the sequential test (paragraph 172), development should apply a sequential, risk-based approach to the location of development,

	taking into account all sources of flood risk and the current and future impact of climate change, to avoid (where possible) flood risk to people and property. The project should take a sequential approach where it can, if there are any opportunities for development to be located outside of Flood Zones 2 and 3 and into Flood Zone 1, this should be prioritised.
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Document Reference(s): chap. 7, para. 7.4.2	
Issue	Climate change impacts on flood risk will be discussed and reported where appropriate within the Technical Assessments and ES Chapter.
Impact	As the FRA has not been submitted at scoping stage, it is not possible to provide detailed comments.
Solution	The FRA will need to consider the future flood extent of the design flood plus climate change which should be informed by the design life of the development. We would also recommend development be setback from watercourses and any existing flood defence infrastructure, under the design flood extent. This allows for future remediation, replacement, or raising of flood assets in the context of a changing climate and increasing flood risk. If the development is classed as essential infrastructure, then from a fluvial flood risk perspective the higher central climate change allowance should be used (70th percentile). A sensitivity test for the credible maximum scenario, which in this case would be the upper climate change allowance for fluvial flows (95th percentile), should also be completed. Essential infrastructure should remain operational during the design flood scenario.

Water Quality

Construction phase

Document Reference(s): chap 7, tables 7-1 & 7-2, & para. 7.6.6	
Issue	Foul management for construction and decommissioning is unknown as it is not listed in table 7-1 or section 7.6.6. In table 7-2 (about effects during the operation and maintenance phase) all management options for foul are under consideration. However, there is no acknowledgement that permission could be required for such a package treatment plant discharge.

Impact	Foul water could pose a risk to the water environment receptors during all phases and will deteriorate water quality unless it is managed and contained.
Solution	The applicant should use the drainage hierarchy when assessing foul options and clearly explain how foul will be managed for each phase.
Additional narrative/ explanation: Table 7-2 states: “At this stage, the preferred foul management strategy is unknown but would comprise either discharge to public sewers (where available), containment in cess pits (from which foul runoff would be tankered away from Site) or package treatment plant with subsequent discharge to a waterbody.” Applicant should provide justification why it would not be possible to connect to a public sewer if this option is unavailable. If a cesspit is used, it must be confirmed as sealed with no discharge to the environment. If package treatment plants are proposed, the Applicant should refer to <u>Septic tanks and sewage treatment plants: what you need to do: Overview - GOV.UK</u>	

Document Reference(s): chap. 7, table 7-1 App. B - Scoping Commitment Register	
Issue	Whilst table 7-1 states that “water quality monitoring will be undertaken in appropriate locations”, further information is unknown and monitoring is not listed as a commitment in the Commitments Register.
Impact	If water quality monitoring is not appropriate then a suitable baseline of water quality data may not be captured, and any trends in water quality deterioration or improvement as a result of the project may not be understood.
Solution	A water quality monitoring plan should be provided when the Environmental Statement is produced and be listed in the Commitments Register. It should have a pre-construction, during construction and post-construction phase. The frequency should occur at least monthly and the locations should be upstream and downstream of any water crossings or discharges.

Document Reference(s): chap. table 7-1,7-2 & para. 7.2.1

App. B - Scoping Commitment Register

Issue	Table 7-1 says "Pollution prevention measures will be employed" but specific mitigation is not currently known so measures to protect against pollution are unclear. Government and best practice guidance is also not listed in the National Guidance section.
Impact	There is a risk to deteriorating water quality if hazardous substances during construction get into surface runoff and is subsequently discharged.
Solution	The CEMP should include potential impacts from sediment, concrete, wheel washing and any spills of hazardous substances. The Applicant should be aware of <u>Pollution prevention for businesses - GOV.UK</u> and <u>Oil storage regulations for businesses - GOV.UK</u>, as well as CIRIA The SuDS Manual (C753F). These should be listed in section 7.2.1 of national guidance.

Additional dialogue / commentary:

An outline Construction Environmental Management Plan (oCEMP) should include:

- Buffer distances of at least 10m from watercourses from top of bank
- Refuelling to only take place on impermeable surfaces, and in bunded areas
- Chemical, oil and fuel storage to be bunded, with impermeable base, volume sized for 110% and covered to protect from accumulation of rainwater
- Parking areas and temporary construction compounds should use drip trays and oil interceptors
- Concrete/cement works should be minimised during heavy precipitation events and carried out during dry months. Pre-cast units could be used where possible.
- Collecting and removing any contaminated water from site (i.e. from wheel wash and concrete washout facilities), and not allowing this to be discharged to surface waters.

Document Reference(s): chap. 7, table 7-1 & 7-2

Issue	There is no mention of engagement with the Environment Agency regarding the potential need for permits for discharges of construction site drainage. The fact that the EA have jurisdiction over discharges to watercourses has been omitted. It states that SuDS features will be used to ensure pollutants are "appropriately controlled prior to
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	discharge”, but there is no acknowledgement that permission could be required for such a discharge of runoff or dewatering.
Impact	If a proper assessment of discharge of construction site drainage is not done, discharge of silty/contaminated rainwater can cause a pollution incident. Not engaging early enough with the EA about permitting may cause a delay to the project.
Solution	Engage promptly with the EA to see if a permit application for any discharge from the site is required. Be clear that a discharge to a watercourse whether it is a main river, ordinary watercourse or canal can require a permit for a discharge and all three fall within the EA’s remit.
Additional narrative/ explanation: Guidance is available here: Discharges to surface water and groundwater: environmental permits - GOV.UK	

Operation phase

Document Reference(s): chap. 7, table 7-5	
Issue	Whilst in table 7-5 leakage from fire suppressant water is scoped in, there isn’t recognition of surface water runoff or rainwater which could get contaminated in the event of a fire. The measures to isolate firewater are unknown.
Impact	Waters can be contaminated in the event of a fire, not solely from suppression systems, and therefore could damage both surface watercourses and groundwater.
Solution	A permanent drainage system must be designed so that the waters can be isolated and not discharged to either watercourse or groundwater in the event of a fire.
Additional narrative: Applicant should confirm in the oBSMP that an impermeable firewater containment system will be designed so that firewater can be captured and either treated prior to release or tankered offsite for disposal in relation to BESS, and potentially Substation. Due to the risk of chemicals in contaminated firewater, it would be preferred for the developer to considering tankering firewater it offsite, rather than treating and	

discharging. However, if discharge at the site is required, you should consider any potential impacts of this discharge and confirm that a water discharge activity permit will be sought from the Environment Agency.

There is guidance on BESS design and fire protection measures available on the government website:

- [Fire prevention plans: environmental permits - GOV.UK](#)
- [Health and safety in grid scale electrical energy storage systems \(accessible webpage\) - GOV.UK](#)
- [Pollution prevention for businesses - GOV.UK](#)

The National Fire Chief's Council has detailed guidance on recommended fire protection measures for BESS sites.

- [Grid Scale Battery Energy Storage System planning – Guidance for FRS \(nfcc.org.uk\)](#)

We would also recommend referring to CIRIA's Containment systems for the prevention of pollution (C736) which we could not see referenced in this report.

Document Reference(s): chap. 5, para. 5.2.3	
Issue	Chronologies of the construction programme are unknown at this stage, but it is unclear if drainage and firewater isolation would be completed prior to BESS and Substation construction.
Impact	Without installing relevant impermeable lining, SuDS and shutoff valves prior to constructing the BESS or Substations, there is a risk that in the event of a fire or pollution event any contaminated water will not be adequately isolated.
Solution	Applicant should commit to installing suitable drainage prior to other installations.

Document Reference(s): chap. 5, para. 5.2.3	
Issue	Chronologies of the construction programme are unknown at this stage, but it is unclear if drainage and firewater isolation would be completed prior to BESS and Substation construction.
Impact	Without installing relevant impermeable lining, SuDS and shutoff valves prior to constructing the BESS or Substations, there is a risk that in the event of a fire or pollution event any contaminated water will not be adequately isolated.
Solution	Applicant should commit to installing suitable drainage prior to other installations.

Document Reference(s): chap. 5, paras. 5.2.9, 5.2.16 & 5.2.22	
Issue	There will be transformers, and other electrical equipment, associated with the conversion stations, substation, and the BESS, however bunding is unclear.
Impact	Without bunding, transformers could leak or spill, and hydrocarbons could all pose an unacceptable risk to the water environment receptors.

Document Reference(s): chap. 5, paras. 5.2.9, 5.2.16 & 5.2.22	
Issue	There will be transformers, and other electrical equipment, associated with the conversion stations, substation, and the BESS, however bunding is unclear.
Impact	Without bunding, transformers could leak or spill, and hydrocarbons could all pose an unacceptable risk to the water environment receptors.

Solution	All transformers should be bunded for all phases of development. They will need to be suitable sized to contain 110% of the volume. Where they are exposed to rainwater, the Applicant must have a mechanism to remove accumulated rainwater regularly.
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Document Reference(s): chap. 5, para. 5.2.4	
Issue	The solar panels are proposed to be bifacial panels, but the substances they are made from is unknown and the cleaning regime is also unclear.
Impact	Consequently there is a risk from PFAS, 'forever chemicals' that will negatively affect water quality. If any substances are used in the cleaning this could also impact water quality.
Solution	Check with manufacturers if the materials used in panels contain PFAS. Where possible, the applicant should commit to using PFAS-free materials. The applicant should also determine what liquid regular panel washing will use, and if there is any pathway between the panels and water receptors if any chemicals in the coating or cleaning products are used. Additionally, where solar panels may be replaced once during the development lifetime, the applicant must have a clear plan to ensure there is no risk to water quality.

Guidance and advise

Document Reference(s): Scoping Report, Chapter 7 Hydrology, section 7.2.1, 7.3.5 and 7.8.20	
Issue	Although we recognise a WFD Assessment will be produced for the ES, section 7.2.1 doesn't list any WFD guidance and the baseline data in 7.3.5 makes not reference to the Water Quality Explorer.
Impact	If all relevant guidance is not used, WFD assessment and baseline assessments may not be based on complete information.
Solution	The Applicant should use these guidance links to support the WFD Assessment and baseline information:

	1. We recommend the Applicant uses the Water Quality Explorer for available data for the baseline: Map Explorer Water Quality Explorer 2. This guidance summarises the requirements of The Water Environment Regulations 2017 in relation to Nationally Significant Infrastructure Projects: Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK 3. This advice is not limited to estuarine and coastal waters in England, the guidance sets out general principles and a staged approach to assessment that the can be used for other water bodies such as rivers, lakes and groundwater: Water Framework Directive assessment: estuarine and coastal waters - GOV.UK
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Additional narrative/ explanation:

The Applicant should be aware that the next comprehensive update of classifications in all water bodies, as required in the WFD Regulations, is the 2025 classifications. Draft 2025 classification results have been finalised and can now be shared externally with stakeholders on demand via FOI request.

Where WFD classifications are summarised in sections 7.3.18 7.3.19 and 7.3.23; when a WFD Assessment is produced, the Applicant should provide reasoning of why water bodies are not achieving good, where applicable.

Document Reference(s): chap.7, table 7-6

Issue	Table 7-6 is about receptor sensitivity, but we are unsure how downstream effects have been considered in assessment methodology.
Impact	If watercourses are not given a high enough receptor importance, then mitigation measures to provide protection may be inadequate. Impacts on smaller watercourses can still be non-compliance to WFD and protection should be secured.
Solution	The Applicant should assess if watercourses and drains, which may not have a WFD classification, actually could flow into or are tributaries of WFD classified watercourses and if there could be downstream effects. Where this is the case, receptor sensitivity should be increased to Medium to Very High respectively.

Document Reference(s): chap. 5 paras. 5.3.14, 5.4.4 and 5.5.4; chap. 7 paras. 7.6.2, 7.6.5 and 7.6.6

Additional narrative/ explanation:

Where an outline Construction Environmental Management Plan ('oCEMP'), an outline Operation Environmental Management Plan ('oOEMP'), and an outline Decommissioning Environmental Management Plan ('oDEMP'), as well as an outline Battery Safety Management Plan ('oBSMP') are being prepared as part of the DCO application, we request that the Environment Agency is named as a consultee in the draft DCO.

Document Reference(s): chap. 7, table 7-2

App. B - Scoping Commitment Register

Additional narrative/ explanation:

- In C17 and table 7-2, where it states "The Surface Water Drainage Strategy will include measures to ensure sufficient fire water and containment procedures are provided for emergency purposes should a fire occur", it is important that this is consistent with the oBSMP.
- In C3, Chapter 7 Hydrology should be listed as a relevant scoping chapter as the commitment is related to the 10m buffer distances.
- Clear pollution prevention measures and SuDS maintenance schedule should be listed as named commitments.

Appendix C – Additional advice for the Applicant

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Heat Pollution

Relevant to App. A, EA04

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.

Geomorphology - General considerations

The following are general guiding principles to consider when designing watercourse crossings to avoid negatively affecting geomorphology and natural processes:

- Avoid unnecessary interference with natural processes. For instance, encourage use of trenchless techniques such as Horizontal Directional Drilling (HDD) to minimise the likelihood of cables entering the water environment.
- Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.
- Position of HDD/trenchless crossing should also take into consideration lateral movement of the watercourse. Ideally trenchless crossings should be launched/received outside of the floodplain.
- Ensure coastal landfall infrastructure is located outside of areas expected to be impacted by coastal change over the duration of the project.
- Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels which are left in-situ after decommissioning could be exposed by river movement, becoming an impediment to natural processes. Decommissioning plans should therefore take these factors into consideration and consider removal of such infrastructure at decommissioning or at any time after.
- Consider opportunities to deliver WFD mitigation measures, including Nature based Solutions (NbS), as part of the design.
- Avoid preventing delivery of mitigation measures. For example, avoid bringing cables/pipelines to surface level in floodplains earmarked for

future river restoration (see note above regarding launch/reception locations).

- Reinstatement of bankside habitats along watercourses and ditches should be considered after completion of any bank or channel works. This could include sowing the bankside habitats with a species rich locally appropriate sward, and erecting fencing to prevent livestock access.

Notes:

1. WFD applies to all surface waterbodies, not just those designated for monitoring purposes.
2. Small watercourses and WFD - watercourses with a catchment less than 10km² connected to a downstream WFD waterbody take the classification of that d/s waterbody.

BESS Developments

Firewater runoff

We will expect the drainage design to be produced following an adequate assessment of risks to groundwater, including a conceptual site model, and to include suitable provisions to contain water in the event of a fire.

We strongly recommend that all BESS sites have fully sealed drainage systems, with penstock valves which activate automatically when a fire breaks out.

Where BESS sites are designed with fire extinguishing systems that do not rely on water, fire crews may still use water for boundary cooling, and this can contain pollutants from the burning units, including any associated chemical leakage, and dust and ash from the air. As such, we expect firewater capture to be included in any design. Operation and activation of penstocks should be included within any maintenance schedule. Firewater must be tested for relevant contaminants to determine if it can be released, or if it needs to be removed from the site for disposal elsewhere.

Where gravel is proposed to be used within an impermeable drainage basin, the operator must demonstrate how they will manage accumulation of silt and pollutants within the base of the gravel. Contaminants from a fire event may accumulate in the gravel even if firewater runoff is identified as being suitable for release. These contaminants would then be released into the natural environment over longer periods of time.

The National Fire Chief's Council has published detailed guidance on recommended fire protection measures for BESS sites. We recommend the applicant refers to this when designing the scheme: [Grid Scale Battery Energy Storage System planning – Guidance for FRS \(nfcc.org.uk\)](https://www.nfcc.org.uk/guidance-for-frs)

Foundation, penetrative works and works programming should be designed to maintain the integrity of this impermeability.

Any Penstock valves should have a manual back up as well as automatic trigger. Should be regularly maintained and tested as part of the OEMP and in areas where the runoff will be discharged to a sensitive receptor include sentinel monitoring in the event of a pollution incident at the site.

Damaged batteries

The Applicant should ensure that waste and/or damaged BESS batteries are stored and managed such that they do not pose a contamination risk. For example, this could be due to chemical leakage, or fire water runoff in the event of extinguishing a waste battery fire.

Groundwater and contaminated land general advice

Lifespan of Infrastructure

The Applicant should ensure that all below ground infrastructure is suitable for the operational lifespan of the project to minimise the risk of further preventable disturbance during this period.

The oOEMP and final OEMP should include details of the maintenance and repair procedures for all aspects of the development.

This should include aspects, not limited to:

- Only the use of deionised water for the cleaning of PV panels, to prevent chemicals infiltrating the soils.
- Regular inspection and maintenance of drainage feature at the BESS and substations including emergency equipment.

Procedures for excavations in the event or replacement of equipment failure and repair, or necessary maintenance

PFAS

We strongly recommend that all solar panels are free from Per- and polyfluoroalkyl substances (PFAS). Some solar panels are treated with a PFAS coating. If panels containing PFAS are used, we suggest that there is consideration of this in the Operational Environmental Management Plan (OEMP) and Decommissioning Environmental Management Plan (DEMP). For example, if PFAS coating is damaged there is a risk of persistent chemicals entering the natural environment during heavy rainfall, washing, maintenance, and removal. The OEMP should also incorporate measures to minimise the risk of panel coatings becoming damaged via

'thermal shock' such as if cleaned whilst at a high temperature due to prolonged exposure to sunlight.

The applicant should where possible avoid the use of PFAS-containing products in buried cabling.

The applicant should ensure that any bentonite used for trenchless drilling, or elsewhere in the scheme, has not been treated with chemicals containing PFAS. Fuel, oils and other chemicals, such as cleaning agents and decontaminants, should be PFAS-free wherever possible.

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- CL:AIRE Definition of Waste: Code of Practice
- EA Regulatory Position Statement 215: Treating small volumes of contaminated soil and groundwater

Waste to be taken off site

Contaminated soil that is, or must be, disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan'. The permitting status of any

proposed treatment or disposal activity should be clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to [our website](#) for more information.

Sustainable drainage systems

The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed
- meet Government's non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance
- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply.

See the Environment Agency's approach to groundwater protection, position statement G13: [Groundwater protection position statements](#).

Land contamination assessments

We expect land contamination assessments to follow the tiered approach laid out in our [Land Contamination Risk Management \(LCRM\)](#) guidance. The preliminary risk assessment (PRA) should include historical plans of the site, an appraisal of the environmental setting (including geology, hydrogeology, groundwater and surface water receptors, potential contaminants of concern and source areas), an initial conceptual site model (CSM) describing possible pollutant linkages for controlled waters, and identification of potentially unacceptable risks. Land contamination investigations should be undertaken by suitably qualified and experienced professionals and in accordance with [BS 5930: Code of practice for ground investigations](#) and [BS 10175: Investigation of potentially contaminated sites – code of practice](#). Soil and water analysis should be fully MCERTS accredited.

Investigation, demolition, remediation, or construction works must not create new pathways or linkages to controlled waters. Clean drilling techniques may be required for boreholes that penetrate contaminated ground.

Waste

Waste moving off site

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import, or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found

here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506917/waste-duty-care-co...

If you need to register as a carrier of waste, please follow the instructions

here: [Register or renew as a waste carrier, broker or dealer - GOV.UK](#)

Where a development involves any significant construction or related activities, we would recommend using a management and reporting system to minimise and track the fate of construction wastes, such as that set out in PAS402: 2013, or an appropriate equivalent assurance methodology. This should ensure that any waste contractors employed are suitably responsible in ensuring waste only goes to legitimate destinations.

The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found

here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hiera...

Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice. (Outline Site Waste Management Plan (oSWMP), to be created)

Landfill Capacity

Where you require waste to be taken to landfill, you will need to review which landfill sites in East Yorkshire are open and accepting waste. You must consider if the

volumes you will need to remove to landfill will drastically reduce the volume of other wastes that can go to landfills in East Yorkshire and could in-turn, put pressure on the remaining active landfills across Yorkshire. The transport of waste to landfills outside of East Yorkshire will also impact the carbon emissions of the project, as well as possible amenity issues associated with the increased number of vehicles coming onto and off site.

Use of waste on-site

If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us. Please be aware that changes to the use of exemptions are expected to be implemented in 2026.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

We have produced guidance on the recovery test which can be viewed at <https://www.gov.uk/government/publications/deposit-for-recovery-operators-environmental-permits/was...>

You can find more information on the Waste Framework Directive here: [Environmental permitting guidance: The waste framework directive - GOV.UK](#)

More information on the definition of waste can be found here: [Check if your material is waste - GOV.UK](#)

More information on the use of waste in exempt activities can be found here: [Waste exemption guides - GOV.UK](#)

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive).

Waste classification and the importance of it. What we would expect when it coming to testing of the material prior to removal from the site.

A full waste assessment should be conducted in line with technical guidance document WM3 and BS EN 14899:2005 and should include the following:

- a sampling plan
- chemical analysis of the waste (original lab report)
- interpretation of the results, including a hazardous property assessment of the analysis.

Waste Storage Locations

In section 5.2.37 it is stated that, “Any external waste storage shall be located within a fenced compound adjoining the permanent office, warehouse and plant storage building and will occupy a maximum footprint 3000m²”. If sites are planned to be used for the storage of waste generated elsewhere then you must consider whether an environmental permit or exemption will be required.

Flood Risk

Modelling

Any flood risk modelling which is developed or updated to inform the proposals should be reviewed by the Environment Agency. It is recommended that modelling methodologies are agreed with the Environment Agency prior to undertaking any detailed modelling work

Climate change

Please see [Flood risk assessments: climate change allowances - GOV.UK](#) for further details on how to establish the design flood event for the development based on the development vulnerability classification.

Other data

The Surface Water Spatial Planning product was published on the 28th May 2026. This dataset may be of interest and includes a depth dataset for the Upper allowance for climate change for the 2070s epoch (2061 to 2125). The depth data is in 300-millimetre (mm) increments. This dataset can be downloaded from the Defra Data Services Platform here: <https://environment.data.gov.uk/dataset/cf8d4e8f-99b6-4e5d-bf56-7f80e93d0931>

Environmental permit – Flood risk activities

Main rivers have been noted as potential important receptors where crossings are proposed within the cable search area.

Potential impact to flood risk and to flood defence assets will need to be fully assessed and mitigated through the design of constructions activities and the layout of the site.

Further detail on proposed type and location of potential main river watercourse crossings should be submitted for comment and discussion at the earliest opportunity.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

Culverting existing watercourses/drainage ditches should be avoided. Where culverting for access is unavoidable, applicants should demonstrate that no reasonable alternatives exist and where necessary it will only be in place temporarily for the construction period. [paragraph 2.10.79 and 2.10.80 of NPS EN-3]

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Section 120 of the PA2008 allows the inclusion of non-planning consents, permits and licences to be included within the DCO, removing the requirement for the Applicant to apply for them separately. This is called 'disapplication'.

Section 150 of the Planning Act 2008 states that for certain types of consents, the Environment Agency must give permission for the legislation to be included in the DCO. These consents are listed in Schedule 2 of the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015, this list includes many of the permits and consents issued by the Environment Agency.

If Applicants are seeking to disapply any of the permitting legislation, they should contact the Environment Agency as early as possible. The Environment Agency will consider requests to disapply on a case-by-case basis. However, when approached, there are some principles the Environment Agency will consider following a disapplication request:

- The activity will have a low environmental risk,
- The activity should either be temporary, or it can be agreed as part of the construction phase,

- The activity will not require any on-going monitoring or subsequent enforcement of any defined limits,
- The activity is unlikely to be classed as High Public Interest or has the potential to generate high public interest. The Environment Agency will decide whether an application is of high public interest on a case-by-case basis. To reach a decision, all relevant information is considered, including:
- Whether the interest relates to issues regulated under an environmental permit,
- The breadth and scale of interest – for example, the number of different sources such as individuals, interest groups, businesses, local councillors, media and whether there is ongoing engagement from the local MP
- Whether the interest is, or is likely to be, sustained for a period of time.

The Applicant should provide sufficient information with their request to disapply for the Environment Agency to be able to make the above decisions about the activity.

When the Environment Agency have agreed to disapply their legislation they have developed a set of standard Protective Provisions, that are available upon request. It is important for the Applicant to note that the Environment Agency holds the ultimate decision and the right to refuse any request to disapply.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Works affecting non-main rivers/ordinary watercourse may require the prior consent of the Lead Local Flood Authority (LLFA) under the Land Drainage Act 1991. As such, we advise consultation with the LLFA in this regard.

Water Resources

Water company discussions

Table 7-1 provides a summary of the types of environmental measures that will be considered for managing construction effects and states that discussions will be held with the water company to determine any capacity concerns. This should be undertaken as early as possible in order to have sufficient confidence at examination that a secure supply of water is available to the project, and to inform the ways described to reduce demand from the water company and to better inform detailed design should rain water harvesting; tankering; abstraction or any on site storage be considered.

Dewatering

Dewatering may require a Water Resources Abstraction Licence, a requirement omitted from the report.

The requirement for a Water Resources Abstraction License applies unless the activity is exempt under [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017](#) or [RPS 368](#). The developer should determine the [need for an abstraction license](#) at an early stage. **We advise early consideration should be given to this, so that permitting timescales can be built into the development programme so as not to cause delays.** The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised or utilise our [pre-application advice service](#).

We recommend the developer should follow the [Hydrological Impact Appraisal for dewatering abstractions guidance](#).

The proposed development may need:

- a groundwater investigation consent (section 32/3 of the Water Resources Act 1991) to construct and test pump; and
- a full abstraction licence (Water Resources Act 1991) if the volume of groundwater abstracted is greater than 20 m³/day and abstraction will occur for longer than a period of six consecutive months.

Further guidance can be found at: <https://www.gov.uk/guidance/water-management-abstract-or-impound-water#abstractions-that-need-a-licence>.

There may be a requirement for an associated [EPR permit to discharge](#) unless an exemption applies; this should also be considered at an early stage.

Biodiversity and WFD Assessment

BNG - watercourses

BNG guidelines indicate that structures built within 10m of the bank top of a watercourse qualify as encroachment, which may affect the uplift score calculated using the BNG Watercourse metric.

The EA's usual easement for structures, operations, launch pits is to be at least 8m away from the watercourse bank or landward base of fluvial defence structure / embankment (16m if defence structure is for tidal purposes).

As noted above, BNG watercourse metric considers anything within 10m of banktop to be encroaching on the watercourse.

Any potential construction, operational, and decommissioning phase impacts that the proposed scheme may have on the river must be subject to a WFD Assessment to the satisfaction of the EA.

Any infrastructural developments on river/floodplain environments should be designed and delivered to have a minimal impact on natural river dynamics (e.g. erosion, deposition, meander migration etc.) and should not place any significant limitations on future river restoration projects.

Geomorphologically dynamic behaviour is deemed likely to intensify in the next decades in line with Flood Estimation Handbook (Flood Estimation Handbook (FEH) | UK Centre for Ecology & Hydrology (ceh.ac.uk)). Therefore, any infrastructure developments should also take some account of the likelihood for increased lateral and vertical river dynamics anticipated to result from continued hydro-climatic intensification (e.g. 'a flood-rich epoch') over the remainder of the 21st century (i.e., future proofed designs that are not just based on present-day baseline geomorphological configuration/behaviour).

If river crossings (bridges, culverts, and buried cables) are required as part of the development, we [EA] would expect to see geomorphologically robust designs that will cause minimal impacts on natural fluvial processes operating in the river/floodplain environment over the course of the 21st century.

Further guidance regarding river crossings can be found in the following document (referenced in the EIA scoping bibliography):
SEPA, 2010. Engineering in the water environment: good practice guide River crossings Second edition.

Water course sensitivity

Care should be taken by applicants when determining watercourse sensitivity, especially the use of Q95 scores. Rivers with a higher Q95 flow are not more sensitive than rivers with a lower Q95. In the case of water quality, the reverse of this is true, with less dilution meaning a higher sensitivity to change. Some watercourses with low Q95 may also be winterbournes, and therefore cannot accommodate change easily, as they would be dry for most of the year. WFD designation is a method of monitoring and classifying the ecological health of the water environment and not an indication of greater or lesser sensitivity to change. Therefore, watercourses with a WFD designation are no more sensitive than those which have not been designated.

Sensitivity to change cannot be determined from a desk study alone. When determining the sensitivity of a watercourse, the applicant should ensure that professional judgement and the results of any surveys are also incorporated into the assessment.

From: FPL - Conx Request <ConnectionRequest@fulcrum.co.uk>

Sent: 30 June 2026 16:46

To: Clean Air Solar Farm <CleanAirSolar@planninginspectorate.gov.uk>

Subject: RE: EN0110018 Clean Air Solar Farm - EIA Scoping and Consultation and Regulation 11 Notification

You don't often get email from connectionrequest@fulcrum.co.uk. [Learn why this is important](#)

Good Afternoon

We can confirm Fulcrum Pipelines Limited do not have any existing pipes or equipment on or around the above site address.

Please note that other gas transporters may have plant in the area which could be affected by your proposed works.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 03330 146 455.

In case of an emergency please phone 0800 111 999.

Kind regards,



FPL - Conx Request

e: ConnectionRequest@fulcrum.co.uk | w: www.fulcrum.co.uk
a: Fulcrum, 4 Europa Court, Sheffield Business Park, Sheffield S18 2PE

Tell us how we're doing:

We'd really appreciate feedback on your experience with us today. So, please tell u

FAO: Wing Sum To
Environmental Advisor
info@cleanairsolarfarm.co.uk

CEMHD - Land Use Planning,
NSIP Consultations,
Building 1.2, Redgrave Court
Merton Road, Bootle,
Merseyside L20 7HS.
NSIP.applications@hse.gov.uk

Date: 3/07/2026

Dear Sir,

**PROPOSED CLEAN AIR SOLAR FARM PROJECT
PROPOSAL BY BY CLEAN AIR RENEWABLES LIMITED
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2017 (AS AMENDED) REGULATIONS 10 AND 11**

Thank you for your e-mail of dated 30/06/2026 regarding the information to be provided in an environmental statement relating to the above project.

HSE's land use planning advice:

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records the proposed project area for this Nationally Significant Infrastructure Project, shown as the redline "Site Boundary" in Figure 1-1 'South Kent Energy Park Scoping Figures – part 1' of the EIA Scoping Report Appendix A Part A (downloaded from [EN0110018-000015-Appendix A - Part A compressed.pdf](#)), is **not** within any consultation zones of major accident hazard sites however, is within the consultation zones of three major accident hazard pipelines.

The major accident hazard pipelines are:

- National Gas's 29 Feed Ganstead to Asselby pipeline; HSE ref. 14134, Transco ref. 2760.
- Northern Gas Network's Wawne / Elloughton; HSE ref. 8422, Transco ref. 2702.
- Ineos Manufacturing (Hull) Limited's Teeside to Saltend Ethylene pipeline; HSE ref. 9669.

The Applicant should contact these operators to verify the above information is correct and to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

There are three particular reasons for this:

- i. The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
- ii. The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
- iii. To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice is dependent on the location of areas where people may be present [[HSE: Land use planning - HSE's land use planning methodology](#)]. Based on no HSE consultation zones interacting with the proposed order limits it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

Would Hazardous Substances Consent be needed?

Hazard classification is relevant to the potential for accidents. Hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of [The Planning \(Hazardous Substances\) Regulations 2015](#) as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an "addition rule" in Paragraph 5 Part 4 of Schedule 1 for below-threshold substances. Table 19-1 of the [EIA Scoping Report](#), p343, has a link to hazardous substances. It is stated on p343 that "*with limited need for hazardous substances in solar farm operation*". It is recommended to confirm if any hazardous substances present may fall into the categories in [Schedule 1](#) and whether the quantities are sufficient to require consent (including after the use of the "addition rule" should it be needed). It may be that hazardous substance consent is not required however, if hazardous substances planning consent is required, please consult the relevant Hazardous Substance Authority (usually the Local Planning Authority) on the application. HSE's role is explained here: [HSE: Land use planning - Hazardous substances consent](#).

Consideration of Risk Assessments:

[Regulation 5\(4\)](#) of the [Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#) requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role in NSIPs is summarised in Advice Note 11 "working with public bodies in the infrastructure planning process" Annex G on the Planning Inspectorate's website: [Nationally Significant Infrastructure Projects - Advice on working with public bodies in the infrastructure planning process, Annex G: The Health and Safety Executive - GOV.UK](#). This document includes consideration of risk assessments under the heading "Risk assessments". The development is required to prepare a suitable and sufficient risk assessment for its proposed activities.

Above, there were three major accident pipelines which require consideration of risk assessments arising from the development's vulnerability to major accident pipelines. We would advise that this is considered further in line with Advice Note 11 Annex G, taking account of the following: "*it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses*".

There are no requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

Explosives Sites:

Explosives Inspectorate has no comment to make as there are no HSE licenced explosives sites in the vicinity of the proposed development.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

CEMHD NSIP Consultation Team

Direct Dial: [REDACTED]

Our ref: PL00802068

PINS ref. EN0110018

By email

Date: 14 July 2026

Dear Madam or Sir,

CLEAN AIR SOLAR FARM CONSULTATION ON PROPOSED APPLICATION FOR DEVELOPMENT CONSENT OF THE PLANNING ACT 2008

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by Clean Air Renewables Limited (the applicant) for an Order granting Development Consent for the Clean Air Solar Farm (the proposed development)

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested.

Thank you for your communication of 30 June 2026 consulting Historic England on the above EIA Scoping Report. The scheme is outlined in the Consultation Documents provided as a link to the documentation website online. The documents which the following comments refer to are:

- EN0110018-000014-Clean Air Solar Scoping Report.pdf;
- EN0110018-000017-Appendix A.pdf;
- EN0110018-000018-Appendix B - Scoping Commitment Register.pdf.

This project is defined as a Nationally Significant Infrastructure Project in relation to Section 15(3) of the Planning Act 2008 (as amended) (the Act).

Historic England's response is limited to our statutory remit for the historic environment. Our advice is given in relation to the information currently available and may be subject to change as our understanding of the impact on heritage assets changes.

In relation to Listed Buildings, the remit for detailed comments and advice on Grade II Listed Buildings lies with the relevant Local Authority Conservation Officers. The remit for detailed comments and advice on non-designated archaeological remains lies with the relevant Local Authority Archaeological Advisors.

Our advice includes comments from our regional Science Advisor and suggestions of further detail we would expect to see presented in the Environmental Statement (ES) and Archaeological Mitigation Strategy.

Project summary

We understand the Proposed Development will comprise the construction, operation and decommissioning of a ground mounted solar photovoltaic (PV) electricity generating facility across two separate parcels of land (the 'northern land parcel' and the 'southern land parcel') on approximately 1,154 hectares of land.

The project includes solar PV arrays, two onsite substations, Battery Energy Storage System units, Power Conversion Stations, environmental mitigation and enhancement areas, and associated grid connection infrastructure including a buried cable to the National Grid Creyke Beck Substation extension at Wanlass Beck ('the Proposed Development').

Historic England's Advice

Having reviewed the EIA Scoping Report and associated Figures, we note the principal infrastructure has the potential to have direct and indirect impacts on heritage assets.

These would include built heritage and buried archaeology of both designated and undesignated status.

General Points

We agree in general with the topics scoped in and out for the EIA in relation to the three phases: construction, operation and decommissioning.

In general terms, Historic England advises that a number of considerations will need to be taken into account when proposals for green energy are assessed. This includes consideration of the impact of ancillary infrastructure, such as tracks and grid connections, as well as the built infrastructure:

- The potential impact upon the historic character of the landscape, including landscape features which positively contribute to character;
- Direct impacts on heritage assets (buildings, monuments, sites, places, areas, landscapes), whether designated or not;
- Impacts on the settings of heritage assets since elements of setting can contribute to the significance of a heritage asset. An assessment of the impact on setting should be proportionate to the significance of the asset and the degree to which the proposed changes enhance or detract from its significance and the ability to appreciate the asset. In the consideration of setting a variety of views may make a contribution to significance to varying degrees. These can include long-distance views

as well as the inter-visibility between heritage assets or between heritage assets and natural features. For further advice see [The Setting of Heritage Assets](#);

- The potential for archaeological remains;
- Effects on landscape amenity from public and private land;
- The cumulative impacts of the proposal.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic, noise and lighting) might have upon perceptions, understanding and appreciation of the heritage assets in the area.

The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of buried archaeological remains and deposits. Alterations to drainage patterns can also lead to subsidence of buildings and monuments.

In line with the National Planning Policy Framework (paragraph 207), we would expect the ES to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

In regard to heritage assets, a flexible approach to impact assessment and study areas would be welcomed in relation to results from surveys and evaluations during the preparation of the EIA.

9.9.16 and Table 9-5: We note 'Significance/Sensitivity Classification' refers to 'Designated archaeological sites' as being of 'medium' Significance/Sensitivity. Designated archaeological sites are by their nature of national significance.

10.8.6 and Table 10-4: In terms of the criteria for establishing the significance of heritage assets, we are concerned that grade II listed buildings are identified as 'medium' heritage value, whereas all listed buildings are nationally important. The implication of this misidentification of grade II listed buildings is that the degree of harm is downplayed.

Likewise in Table 10-4, we note 'Designated Heritage Assets compromised by poor preservation' are categorised as being of 'low' Heritage Value and set alongside 'Locally Listed Assets'. The condition of a designated heritage asset does not make it of 'low heritage value'.

We would recommend scoping in a potential to enhance the heritage assets impacted by the proposed development through improved management, interpretation and/or outreach and active community engagement.

We are keen to ensure the project delivers public benefit relating to heritage, in accordance with NPS EN-1, given the potential impact of the project on the historic

environment. We would be pleased to work with the applicant and East Riding of Yorkshire Council to develop a community engagement strategy for the project. We recommend the ES includes a framework of the strategy for community archaeology and engagement, agreed as part of the Outline WSI (outline project design to be developed in detail post-consent).

Specific Points

9.3.10: We note the proposed 2km radius for the study area, for designated heritage assets, has been agreed with the Development Management Archaeologist to East Riding of Yorkshire.

We note the proposed 2km of the Built Heritage Study Area is based on a review of the data sources (10.3.3). We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.

Methodologies which can help to inform the extent of the study area include a Visual Impact Assessment and the production of a Zone of Theoretical Visibility (ZTV) in line with current guidance. The ZTV of the proposed development should be based initially on topographical data before the impact of existing trees and buildings etc. on lines of sight is assessed.

We welcome the flexible approach to be taken to the identification of assets located outside the study areas that are of the highest value (9.3.11). We agree that a flexible and iterative approach is required for the assessment of the significance of heritage assets. We note that only one listed building has been identified as meeting the criteria for assessment beyond the 2km study area (10.3.29). We would expect this to be demonstrated and discussed in the assessment.

Our initial review indicates that the proposed development could, potentially, have an impact on the significance of a number of highly-graded designated assets, within the site boundary and study areas.

The scheduled monument of Risby Jacobean gardens, hall and medieval settlement remains (NHLE 1018600) is situated within the site boundary (southern land parcel). The 'Cellar Heads' moated site and related ridge and furrow earthworks at Risby Park, 700m north west of Risby Park Farm (NHLE 1015312) is situated on the edge of the Site Boundary.

Together with the grade II registered park and garden Risby Hall (NHLE 1001419), that is enclosed by the proposed site boundary, this group of heritage assets will require particular consideration to avoid harm to the significance of these monuments.

There are also a number of highly-graded designated assets within the 2km study area, listed in Table 9-1 and 10-1, that will require careful consideration.

Although the baseline data introduction (10.3.6) mentions Registered Parks and Gardens as a separate heritage asset type, Risby Hall RPG is not a Grade II Listed Building as stated in the Report (10.3.23). A separate entry might be dedicated to this type of heritage asset.

In Table 10-1, it would be worth adding the 'Registered Park and Garden' after the Grade II designation (it is referred to as 'Park and Garden' at these two locations but as part of the name of the asset and not as its type). This is not repeated at the 'Landscape and Visual' section where Risby Hall RPG is correctly mentioned (11.3.45).

Given the location of the proposed development – to the north and south of Beverley, it is important that the contribution setting makes to the significance of the grade I listed Beverley Minster (NHLE 1084028) – with its vast landscape influence – is properly understood and assessed.

Beverley Minster is the largest parish church in England. The iconic twin west towers of Beverley Minster dominate the East Riding skyline and are widely celebrated masterpieces of Perpendicular Gothic architecture. Constructed between 1220 and 1425, it is thought that they might have inspired the design of the west towers of Westminster Abbey.

Roof-top tours are available where the public can appreciate the expansive landscape setting of the Minster. We would advise, therefore, that consideration is given to the impact on views from the roof-top vantage point and whether any heritage assets with a relationship to the Minster can be seen. A ZTV would be useful to identify potential areas of historical interest within the setting of Beverley Minster.

In addition to the assessment on the significance of Beverley Minster, we would recommend assessment of the impact on The Minister Way in terms of the historic environment, the importance of connections between heritage assets and how they are appreciated (in addition to assessment as visual amenity).

The Minster Way is a scenic, long-distance walking trail that connects the historic towns of Beverley and York. There may be viewpoints along the route that could be directly affected by the location of the proposed solar panels. It could impact, for example, on views of the Minster and other highly-graded assets, including the grade I listed and scheduled Watton Abbey. These should be assessed in reference to our guidance '[The Setting of Heritage Assets](#)' (p.7).

We welcome the proposal to consult Historic England about the consideration of designated heritage assets. We welcome the proposed iterative process of assessment to resolve any issues encountered during the pre-application phase (9.3.11 and 10.7.4).

10.8.2: We would recommend the ZTV is shown in a figure in relation to the designated heritage assets to inform an understanding of the potential visual effects, both in terms of scheduled monuments and listed buildings (archaeology and built heritage).

It is important the ES identifies key viewpoints from which to assess the impact on the significance through change to the setting of key highly-graded heritage assets.

9.9.18 and 10.8.3: We would be pleased to advise the applicant on the location of key and specific viewpoints (for heritage-focussed photomontages) required to assess the impact of the development on the significance of highly-graded heritage assets, in terms of scheduled monuments, registered parks and gardens and listed buildings, resulting from a change regarding the setting of such assets.

The photographs should be taken in winter to model worse-case scenarios. This is to ensure that an appropriate assessment of the impact on the significance is undertaken.

9.8.4 and Table 9-3: We note the effects on findspots have been scoped out from the detailed assessment (as the finds have been already removed from the site boundary). While this is correct, findspots may be indicative of further archaeological remains (including further findspots) that could be of equivalent significance to scheduled monuments. The locations of any recorded findspots should, therefore, be adequately assessed.

9.8.4 and Table 9-3: We note that the effects on non-designated heritage assets outside of the site boundary have been scoped out from detailed assessment. We consider these also need to be adequately assessed in order to accurately establish their significance. This is because some could be of equivalent significance to scheduled monuments (in the case of buried archaeological remains). The impact on the significance of these, through construction of the solar farm within their setting, should be taken into account. We recommend these should not be scoped out, therefore, from detailed assessment – until their significance has been adequately established.

9.9.1 We welcome the proposed consultation with both the Development Management Archaeologist to East Riding of Yorkshire and Historic England. This is important as the results of the surveys could reveal non-designated (and / or previously unknown) archaeological remains of equivalent significance to scheduled monuments. We would be pleased, therefore, to comment on project designs, fieldwork and reports, as required. In particular, Historic England's science advisors are experts on archaeological techniques and can contribute to the best outcome for the historic environment impacted on by the development.

9.9.1: We agree the inclusion of aerial investigation in the resource list for the proposed heritage assessment. Aerial resources have the potential to contribute to a better understanding of the wider landscape impact of the proposed development. Potential archaeological features defined by air photography should, therefore, be accurately plotted and presented in the assessment.

9.9.1: We agree the inclusion of historic map regression. Historic maps, available in East Riding Archives, have the potential to contribute to a better understanding of the wider landscape impact of the proposed development. We recommend every effort should be made to locate historic maps that pre-date the late 19th century. Tithe records, for example, from the late 1830s to the early 1850s provide a very

comprehensive survey into the usage, ownership and occupation of land, and there may be earlier estate maps for the study area.

9.9.1: Looking to the information sources cited, we would stress the utility of [Portable Antiquities Scheme data](#) which can be requested in raw un-redacted form with a sufficient research justification.

9.9.1: For military air-crash sites, reference should be made to [Aviation archaeology - GOV.UK](#). Particular care should be taken for unexploded ordinance in this landscape.

9.9.6: We note and welcome the statement that proportionate and targeted trial-trenching may be required to inform the ES. This is to ensure any necessary mitigation measures are embedded into the design of the solar farm through avoidance. We would be pleased to comment on the need for, and extent of, any proposed trial-trenching. As a statutory consultee, Historic England needs to comment on all project design and method statements that are specifically related to designated heritage assets within its remit. We would be also pleased, however, to provide advice and guidance on other project designs, fieldwork and reports, as required.

9.3.27: We agree that a geoarchaeological approach be adopted to consider the geomorphological history of the study area and its implications for the below-ground archaeological resource (sealed archaeological deposits, palaeoenvironmental potential, etc.).

A suitably experienced archaeologist or geoarchaeologist should collate and synthesise all the available information for the DBA. Areas of high potential and knowledge gaps should be identified during this process. If appropriate, deposit model(s) should be created for specific areas. The geoarchaeology component of the DBA should be used to inform any necessary bespoke geoarchaeological and palaeoenvironmental work, and the archaeological monitoring of geotechnical boreholes and test pits.

The process should follow the advice outlined in the following HE documents:

Deposit Modelling and Archaeology: Guidance for Mapping Buried Deposits (2020): <https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/>

Geoarchaeology: Using Earth Sciences to Understand the Archaeological Record (2015): <https://historicengland.org.uk/images-books/publications/geoarchaeology-earth-sciences-to-understand-archaeological-record/>

An iterative approach should be adopted so that the baseline and any deposit models are updated as new data becomes available, such as information from geotechnical investigations commissioned for the project.

9.9.3: We agree that a deposit model should be developed if merited by the scale and complexity of deposits present. It may be necessary, however, to develop an individual deposit model for each specific area of interest (particular river valleys, for instance),

rather than one overarching model. Models should also be regularly updated with new information as the project progresses. We would recommend Historic England's science advisor is consulted if substantial geoarchaeological deposits are identified and to discuss if a deposit model (or models) is required.

9.9.5: We welcome the geophysical survey that is currently being undertaken and look forward to reviewing the results. It will be important to compare the geoarchaeological information to the blanket magnetometry survey results to determine whether specific areas (deep alluvium, for instance) require supplementary survey using different geophysical techniques (Electrical Resistivity Tomography, for instance) to get the necessary vertical resolution / depth, identify specific types of archaeological remains, etc.

This is important because magnetometry is not always success in detecting buried archaeological remains because of various different factors including, for example, poor ground conditions, unreceptive natural deposits, and overlying superficial deposits and soils, unreceptive archaeological deposits as well as interference from green waste.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely

[Redacted Signature]

Inspector of Ancient Monuments

E-mail: [Redacted]@historicengland.org.uk

From: chair@kirkburnparishcouncil.gov.uk <chair@kirkburnparishcouncil.gov.uk>
Sent: 22 July 2026 10:55
To: Clean Air Solar Farm <CleanAirSolar@planninginspectorate.gov.uk>
Cc: Clerk <clerk@kirkburnparishcouncil.gov.uk>
Subject: EN0110018 Clean Air Solar Farm - EIA Scoping and Consultation and Regulation 11 Notification

Dear Planning Inspectorate

As indicated in my earlier e-mail, we intended to provide comments following your earlier correspondence to statutory consultation bodies.

Please find below the response from Kirkburn Parish Council in respect of the subject matters we feel need to be incorporated or addressed in the Environmental Statement (ES) and its associated scoping process.

Cumulative Effect of Solar Farms in the geographical area close to the Northern Parcel of Land

There is no mention of the existing Driffield Solar Farm to the north of the proposed project at Skerne <https://www.baywa-re.co.uk/en/projects/solar/driffield-solar-farm-battery-storage-system>

There is also no mention of the proposed Sunderlandwick Solar Farm for which Elgin Energy was granted planning permission in 2023 following this particular planning application:

22/02460/STPLF – Installation and operation of approximately 49.9MW renewable energy generating station comprising ground-mounted photovoltaic solar arrays with Primary Substation and control building compound, inverter stations, cabling, security measures, access gates, site access, internal tracks and other ancillary infrastructure at lands accessing onto and directly East of A164 Beverley Road, Driffield

At land at: Land South East of Poundsworth, Beverley Road, Driffield, East Riding Of Yorkshire

This site has already had access roads constructed under the terms of the planning application whilst they await the necessary Grid Connection.

These two solar farms, in conjunction with the Scurf Dyke Solar Farm that is already identified in Clean Air Solar's June 2026 Scoping Report, provide a cumulative effect that stretches for approximately 10 miles from Driffield through to just north of Beverley. Therefore the Cumulative Effect of all these Solar Farms needs to be fully addressed and not just cherry picked by the applicant such that only Scurf Dyke is taken into account.

Biodiversity

There is no mention in Clean Air Solar's June 2026 Scoping Report of the Hull and East Yorkshire Local Nature Recovery Strategy (LNRS). Any biodiversity aspects of this solar farm project MUST align with this important local biodiversity strategy which forms part of Government policy strategy to support the delivery of the Environmental Improvement Plan 2023 (EIP), which aims

to create a Nature Recovery Network of 500,000 hectares of additional wildlife-rich habitat in England by 2042. Therefore the ES should ensure that Clean Air Solar address this missing element in their Scoping Report and determine how their biodiversity strategy for the project with support the LNRS for Hull and East Yorkshire.

The current scoping report details how, in their opinion, the current arable farmland is not managed in a sustainable manner for biodiversity, due to the mono-culture aspect of crop selection and management and use of herbicides and pesticides. It strives to emphasise how the sward under the proposed solar panels would improve biodiversity. However it does not acknowledge that at certain times of the year flocks of migrating geese and other wildfowl utilise these large arable areas as part of their migration or overwintering processes. The Northern and Southern Parcels of land will undoubtedly be used by birds overwintering at Tophill Low, North Cave wetlands and the Humber Estuary. This aspect needs to be considered in more detail in the biodiversity section, particularly when considered alongside the cumulative effect of all the solar farms between Drifffield and Beverley.

There needs to be more detail on the type of sward proposed for the areas beneath and surrounding the solar panels. This needs to be a suitable wildflower sward that promotes maximum biodiversity and aligns with the goals of the aforementioned LNRS. There also needs to be information on how the sward will be managed over the sixty year life span of the project. Will it be mown by hand, industrial mowers, use of grazing animals such as rare breed sheep/cattle for example.

Soil Quality

The current scoping document mentions how the returning to fallow for a sixty year period of the northern and southern parcel of land areas will improve the soil quality. It would be useful to include details on the research on this subject matter so that readers of the document can understand the benefits associated with this process. Also how, once the land is returned to agricultural use, it will affect future crop yields

Loss of Food Production and Social Economic Effects

There needs to be more detail in the Scoping Report in respect of the loss of prime arable land and the loss to the local economy of food production for the local area (affects on local grain and seed millers for example), agricultural jobs as well as moving to more reliance on imported food that would have been provided by these two parcels of land

On behalf of Kirkburn Parish Council I trust the above comments are useful in the development of the ES and updates to the applicants Scoping Report and Scoping Processes.

Kind regards

Cllr Philip Ashcroft CEng CEnv MIMechE MIET

Chair

Kirkburn Parish Council

Clean Air Solar Scoping Report Feedback July 2026

As a parish, we object strongly to the proposal; not because we object to solar, but because we object to solar in the wrong place, which in this instance is on productive agricultural land in a rural area with a farming heritage spanning generations.

Having done our best to understand the contents of the report in such a short period of time, our response is set out below:

We believe the document is inaccurate, omitting key details and making incorrect and illegitimate assumptions, and do not see how this can be proposed as a single development. In the first instance, the Northern Sector was a 'bolt-on' to the Hornsea 4 Development, intended to utilise capacity, and has now become the 'bolt-on' to the Southern Sector proposal. It is presumed that this has been done to take advantage of the new, fast-track NSIP process included in the Planning and Infrastructure Act (2025), which is less explicit about the consultation required for such proposals.

Our concerns relate to the following:

1. Two Separate Proposals:

In 2.13 they state that:

'The land parcels are integral and complementary parts of the Proposed Development and are not standalone or alternative sites'.

This is clearly not the case, and the fact that the developer feels the need to claim this is a clear indication that it is not a single proposal at all. Throughout the document, in every chapter heading, the significant differences between the Northern and Southern Parcels are abundantly evident. The two parcels of land are separated by approximately 6 miles at their closest points and 12 miles at their furthest.

The Northern Parcel is low-lying and very flat, with predominantly Grade 3a soil quality, grading to 3b closer to the natural Carr land. In contrast, the Southern Parcel is high-lying and undulating due to its position on the edge of the Yorkshire Wolds. It sits on the East Yorkshire Chalk Aquifer and has 99% Grade 2 and 3a soil quality.

The Northern parcel sits adjacent to several flood zones and is part of the drainage infrastructure for the Yorkshire Wolds, whilst the Southern Parcel sits directly above a Critical Drainage Area within England's second-highest flood-risk area outside London.

The Northern Parcel has fewer Buried or Built Heritage sites or buildings, whilst the Southern Parcel is covered by them, including a 74-acre Heritage Asset in its centre, which the Developer somehow believes will be incorporated into the site.

These contrasting profiles will require distinct technical solutions for each chapter heading, from Biodiversity (6) right through to Land Quality and Groundwater (18). We contend that the co-joining of these two completely separate parcels of land into one proposal is a cynical and perverted attempt by this developer to surreptitiously take advantage of the new planning process, making it impossible for local residents to present a single, coherent argument against key elements of the proposal.

The key stakeholders for each parcel are entirely different, and the artificial combination of these two proposals introduces a significant bias at all stages of the forthcoming Consultation and Assessment process in favour of the developer, to the detriment of local communities, who are aghast that this proposal could even be submitted, let alone considered.

2. Lack of any Site Selection Criteria within Scoping Report:

There is no reference explaining why the two parcels of land have been identified in the first place. This omission is critical, as the report itself recognises that the official ACL classification for the Southern Parcel is 99% Grade 2 and 3a, and is clearly well within the definition of 'Best and Most Versatile' land. As such, there is a mandatory requirement for the developer to prove that a full investigation into all other possible sites within a defined search area has been undertaken, including Grade 3b, 4 and 5 land, brownfield sites, and other suitable places such as car parks and roofs of large buildings, all of which are readily available in and around the Humber, in Hull's neglected, abandoned industrial areas, and along roadside and rail corridors.

Despite repeated requests by this Parish, as part of the Action Group, for details of such searches since 12 May 2026, the developer has steadfastly refused to provide this information, despite the following statement in their new information booklet:

'We undertook an extensive site selection process to identify locations which can support a large scale solar farm and are capable of maximising the amount of renewable clean energy that is needed in our grid connection agreement... following technical and environmental assessments, along with other considerations such as land ownership and deliverability, suitable locations were identified... and as a result of the assessment of suitable sites within the search area, the Northern and Southern land Parcels were identified as the most suitable locations.' We strongly contest this statement and regard it as an attempt by this developer to get this proposal into the new process without completing this first, obligatory step.

On all 3 Public Information Days, the developer was repeatedly asked by a wide range of people to provide details of the search area and which locations were investigated, identified and discounted. There was a continual denial that this information was available.

However, several members of the Clean Air Team manning the various desks confirmed that the reduction of 1000 acres from the Northern Parcel, compared with the previous Kingfisher Proposal, was due to some of the landowners either 'pulling out' or 'not playing ball' (their words). Furthermore, it was confirmed that the land in the Southern Parcel was included in the proposal to compensate for the reduced footprint of the Northern Parcel, and that this could be done quickly and effectively by dealing with one single large landowner who owns all of the land in the Southern Parcel and is already working collaboratively with the owners of the Northern Parcel.

We identify this as a fundamental breach of the NSIP process from the outset. The Scoping Report must refer to the investigation that was undertaken, or how else will the basic, mandatory first step be properly and fairly assessed?

The developer will realise significant additional profits from the inclusion of the Southern Parcel, given its close proximity to Creyke Beck and the new Wanlass Beck Substation. Parishioners and the Action Group strongly contend that failing to acknowledge that this first, mandatory requirement has been deliberately avoided by this developer will demonstrate that the weight of bias in the process is heavily in favour of the developer, against the reasonable and deeply felt concerns of all local residents.

As a result, we would recommend that the report be rejected.

3. The Non-Statutory Information and Consultation Process:

Throughout this Scoping Report, there is a continual reference to the great efforts made by the developer to continue engaging with local residents, over and above what is required of them, including 'Information and Consultation' events with Parish Councils and three Public Information Days.

Whilst it is true that these events have taken place, the engagement lacked detail, with many questions left unanswered and inconsistencies among personnel.

The Parish Council has, via the Chair of the Action Group, emailed Clean Air Solar seeking information on a wide variety of critical issues so that we, as complete novices, could enter into some degree of informed dialogue at the Public Information Days. Indeed, their Information Booklet asserts that this is exactly the kind of dialogue and engagement they seek. However, the lack of response shows that Clean Air Solar did not intend to provide details that would allow any kind of informed dialogue and that this would be a one-way exercise of box-ticking.

The fact that this Scoping Document was submitted either before or immediately after the last Public Information Day is testament to the fact that Clean Air Solar had this information all along and chose not to share it with key stakeholders in a cynical attempt to suppress informed dialogue and engagement.

This is supported by the initial information booklet not being sent to anyone in Beverley or Cottingham, despite Clean Air Solar knowing that these areas would be heavily and badly affected; and by arranging a Public Information meeting in Beverley even though they had not told anyone about it. No attempt was made to engage with residents in Cottingham, despite them being among the most affected groups. The timing of the three meetings was completely inadequate: weekdays from 3.00pm-7.00pm, thus eliminating those working and those with children. There were no Saturday meetings and no evening meetings. Webinars also exclude those who are not users of technology, and even this was arranged at an inconvenient time.

Whilst Clean Air Solar may view the events as a success, with approximately 500 people attending, we contend that this was largely due to the efforts of parishes and the Action Group to publicise them. Despite locals' efforts to encourage as many people as possible to attend, 0.01% is not a success.

4. Chapter 7 – Hydration:

The biggest single concern in this Scoping Report is the entire chapter, which perfectly illustrates the three broad themes highlighted above. The casual assumptions made in this chapter about what is to be included or excluded as part of this proposal are fundamentally flawed and so incorrect that, if left unchallenged, they would be seen as negligent. It demonstrates a total lack of awareness of the increased risk caused by placing a substantial solar farm on top of the East Yorkshire Chalk Aquifer above an area that is nationally designated a Critical Drainage Area. It assumes that the biggest risk is the flooding threat to the Northern Parcel as a result of its proximity to the nearby flood zone. There is NO acknowledgement of the academic and practical research which has clearly demonstrated that solar farms present a significant flood risk to adjacent land, particularly on sloping terrain. Indeed, this Scoping Report declares such a risk as insignificant and states that it will be excluded as a factor requiring further risk analysis. Indeed, it does not mention that all agricultural residences east of the railway line at Aike are on boreholes for water supply, a glaring omission. In addition, residents of Aike do not have mains sewers, but rely on cesspits for sewage removal; any change in the water table here could have significant health and safety implications.

Our argument is this:

Relevant Baseline Conditions for Scoping 7.3 Study Area (page 107/8) states:

'In the absence of any specific guidance relating to solar developments... the design manual for Roads and Bridges will be used... a 1 km buffer zone from the site boundary has been considered appropriate, as it provides sufficient distance to encompass the catchment associated with the Proposed Development and to enable the deposition of silts in overland flows and the dilution of any concentrated pollutants. Any impact on water bodies beyond 1 km from the site boundary is considered negligible.'

Table 7.2 (page 117)

'For the solar array within the North and South Parcels, a quantified surface water run-off strategy will NOT be provided. This is on the basis that, when vegetated cover is provided beneath the panels and within the spaces between rows (which will be the case for the Proposed Development), run-off from the parcels is considered to have a negligible effect compared with the baseline scenarios.'

7.8.22 Cumulative Assessment

'No assessment of slope stability, geotechnical risk or contamination will be carried out as part of this assessment. 'FLOODS ARE A NATURAL OCCURRENCE'. We strongly contest that this demonstrates a deeply flawed approach to this critically important issue and that it must be completely rejected for the following reasons:

There is a substantial body of accepted, robust evidence that clearly demonstrates that the siting and configuration of solar farms have a significant negative impact on rainwater runoff and constitute a significant, direct threat of increased flooding risk to the area directly below the Solar Farm.

Some recognition of an increased threat caused by the siting of the BESS and the new substations is included, but it is only relevant to the BESS and substations risk assessment and is specifically excluded from the solar array/configuration itself.

- A) Cook and McCuen (2013)
Solar panels are entirely impervious. When arranged in dense rows, they act as elevated catchment surfaces that interrupt uniform rainfall at the lower edge of the panel (drip line). Whilst solar panels do not change the volume of water falling on a site, they dramatically alter its distribution and create localised saturation zones. This significantly increases the kinetic flow of water draining from solar panels compared to natural rainfall. On a sloping site such as this, this accelerated run-off will detach soil particles, initiating rill and gully erosion.
- B) Wallingford Hydrosolutions (WHS 2017)
If the ground cover beneath the panels is compromised by shade or erosion, the lack of architecture reduces surface roughness, and peak discharge rates and run-off volumes increase markedly compared with pre-development, greenfield conditions. The concentrated drip-line run-off, compacted soil and gravity shorten the catchment's 'Time To Peak'. Water reaches the downstream watercourses or drainage ditches faster, compounding the hillside's peak flow with the existing vulnerability of the flood risk area below.

C) Essex Design Guide (2022)

If panels are aligned perpendicular to the site contours rather than parallel to them, run-off channels feed into high-velocity streams, increasing the risk of downstream flash flooding. They also carry high sediment loads, which silt up downstream culverts, field dams and attenuation ponds, reducing the downstream area's baseline flood resilience.

D) Planted/Low Impact Design Research (2024)

The highest risk occurs during the Construction and Immediate Post-Construction phase, when heavy machinery severely impacts the soil structure, transforming a highly absorbent greenfield state into a semi-impervious state. There is, therefore, a significant increase in the risk that intense rainfall will cause catastrophic run-off into downstream/downslope areas.

E) Rouleau at Al (2024)

Solar farms cause a localised infiltration hot-spot (+19%) and can prematurely saturate localised Chalk layers and concentrated infiltration cannot be absorbed and instantly converts in to surface run off that flows down the slope. This run off erodes the top soil and sediment heavy, turbid water flows in to the Chalk fissures and sink holes and presents a severe risk of contaminating the Groundwater with salt which can impact on downgrading water supply.

These proven risks must then be set in the context of the precise geography and topography of the Southern Parcel of land and its exact placement on the East Yorkshire Chalk Aquifer above England's second biggest flood risk area, which has been formally classified as a Critical Drainage Area.

The sloping Chalk landscape of the Yorkshire Wolds, rolling down from Skidby, Little Weighton, Bentley and Walkington towards Cottingham, Willerby, Hessle and West Hull (1-6 miles away), is a highly sensitive environmental intersection. Highly permeable Chalk flows into the low-permeability clay basins of Hull. The East Yorkshire Chalk Aquifer is highly protected by the Environmental Agency due to its Regional Importance in providing drinking water to the whole region around the Humber Estuary.

All of the risks identified above were realised in a terrifying, unforgettable, catastrophic event in this exact area in 2007. Whilst the area directly underneath the proposed solar farm has been historically vulnerable to surface flooding, the area experienced disaster in 2007. Following an intense (but increasingly uncommon) rainfall, rapid overland sheet flow was suddenly generated, which overwhelmed the drainage systems of the villages below. The result was catastrophic, with 17,000 homes badly damaged, 35,000 people displaced or disrupted - thousands living in caravans for up to 2 years whilst their properties were dried and rebuilt, 91 out of 100 schools with significant flood damage; 30,000 children had severely disrupted education; 1,300 businesses significantly affected, and many never recovered and closed down.

Whilst significant flood-prevention work has been undertaken, none of the risk assessments considered the placement of an industrial-sized 1465-acre solar farm, a BESS, and other major energy infrastructure installations directly above the flood risk zone.

The fact that the developer has specifically excluded this risk from further analysis because it is considered 'an insignificant risk', and that in any event they would have confined the possible impact to an area within 1 km of the solar farm boundary, is staggering in its complacency. It shows a complete lack of both understanding and a desire to understand. It speaks volumes about the attitude this developer has towards the genuine and real concerns of all the residents who will or could be significantly affected by this proposal.

The land adjacent to and surrounding the proposed Northern Sector is the natural flood plain not only for the River Hull but also for Barmston Drain and the extensive drainage network in the area. These drains must be maintained to facilitate run-off from higher on the Yorkshire Wolds and thus prevent flooding further upstream. In 2007, when the Wilfholme pump was not engaged early enough to take the excess from the fields between Hull Bridge and the area under consideration, this resulted in the flooding of villages including Hutton Cranswick, Watton, Beswick, Kilnwick, Lockington, Scarborough and Leconfield, as well as hamlets and homesteads throughout the area. Subsequent drainage of the area then forced the excess water into Holderness, where extensive flooding occurred.

5. Description of Site

The hamlet of Bentley, despite the proposal to completely surround it, has been omitted. This community of 17 properties and households faces the greatest burden of any community. Solar panels are shown adjacent to gardens and in close proximity to dwellings. This will destroy the identity and viability of this historic community, which appeared in the Domesday Book. Residents are already very adversely affected, with mental and physical health issues arising.

Aike in the Northern Sector, as well as properties in Watton and Wilfholme, are to be surrounded by solar panels. Once again, solar panels are shown adjacent to gardens and dwellings, including businesses and tourism ventures.

6. Buried Heritage

Small yet important areas within the Northern Sector appear to be ignored, as do the Listed buildings within and in close proximity to it. Reported Roman and other archaeological artefacts are not identified or noted in the document.

In the Southern Sector, misrepresentation of the 74-acre Heritage Site of the Risby Jacobean Gardens, Hall and Medieval settlement, which is at its heart and has the same protection by Historic England as Stonehenge, is of great concern.

7. The Planning Framework

There are confusing references to both the Planning Act (2008) and the new Planning and Infrastructure Act (2025). Given the extensive differences between their approaches, there should be no such confusion.

8. Engagement and Consultation

The Scoping Report states that 'the applicant may NOT be required to undertake a formal statutory phase of consultation'. Given public opinion and the fact that this is one of the first, if not the first, proposals following the 'fast-track' route, this must not be permitted.

9. Cable Search Area

The cable search area is far too wide (2 km in places) and shows extensive variation in options. This is a result of the two sectors being separate proposals rather than a single one as described by Clean Air Solar. A cable search just 200 m from the centre of the historic market town of Beverley must not be permitted. How can this be considered? Much of the town's development lies within 200 m of the centre (assuming this to be the Market Cross) and includes Beverley Minster, Beverley Westwood and a whole range of protected buildings.

This is completely unacceptable. It is causing immediate and significant mental anguish for residents in these wide search areas. Attendance at the other projects planned for this exact area is revealing frustration among these other major developers about the lack of clarity or a significant narrowing of the applicant's search area.

Dogger Bank D's cable route, which is planned to follow an almost identical route, should surely be considered for sharing.

10. Opportunities for Collaboration

Given the significant impact that all the competing and often conflicting projects planned for this relatively small area will have on one another, this cannot be left to the discretion of the applicant and/or PINS. It is an essential requirement that must be included from the outset. From attendance at the Dogger Bank D and SE/SW events, it is already clear that these developers are planning to use exactly the same ground for their different purposes. Opportunities to share cable routes are being ignored, with the reasoning showing no concern for the individuals affected.

11. Agricultural Land

There are a large number of inaccurate, unsubstantiated and misrepresented statements and assumptions made by the applicant. These are particularly important because the applicant concludes each claim with the phrase 'Therefore, this issue will not be investigated further and will be scoped out of the Report'.

These are vitally important objections and reveal the applicant's true intention to bypass and exclude fundamental issues that might halt or slow down this application.

Agricultural land should be used for agriculture; we are not being told that we have produced too much food, but Ed Milliband is being told that the nation is producing too much solar power!

12. Transport and Access

This report includes only 4 other projects and deliberately excludes a wide range of other approved projects that will absolutely impact the local environment. It is vital that Clean Air Solar investigate all other proposed developments before taking this further.

Access to the Northern Sector is very limited, with the four routes across the area from the A164 being low-grade, single-track roads that flood and experience movement due to the shrinking and expanding of the clay sub-soil. Widening these lanes is not possible due to drainage ditches. Crossing the main railway line from Hull to Scarborough is restricted by the narrowness of the level crossings. This is not considered an issue.

13. Health and Well-being

The applicant makes a long series of unreasonable and unjustified assumptions on a wide range of key human health and well-being issues. The very same conclusions are reached that these are 'insignificant and will not be investigated further and will be scoped out of the Report'.

Both sectors are used extensively by locals and visitors for vital recreation, with public footpaths (PROWs and Permissive), bridleways, and roads used for walking, riding, and cycling, as well as for access to fishing and boating, birdwatching and wildlife, tourist facilities, vineyards, riding stables, and Highland Cow experiences, to name just a few. Within the Northern Sector, the following PROWs are used extensively, both individually and as parts of large circular routes, to access Beverley and as far as Driffield: BESWB01, BESWB21, BESWB23, WATTB13, WATTB24, LOCKB04, LOCKB09, BESWF16, BESWF17, BESWF18, WATTF12, WATTF15, and WATTF16. The ERYC PROW map may be accessed using the following link: [ERYC - Public Rights of Way map](#). These vital resources are ignored or given lip service.

These are of critical importance and must be examined in detail. This reveals the true intentions of Clean Air Solar to sideline and avoid obtaining any true understanding of the impact on the human health and well-being of all residents who will be affected by their proposal and the users of the areas' facilities.

14. Socio-Economic

The use of agricultural land involves not only those farming the land but also those providing services to them, such as grain suppliers, mills, agricultural engineers, markets and retail establishments, food processors, etc. Beswick Parish Council, in association with the Stop Clean Air Solar Farm Action Group, has provided specific examples of inaccurate assumptions made by Clean Air Solar about this critical issue. In particular, the total dismissal of the Cumulative Impact of this proposal, on top of all the other solar farm and other energy projects, must be rejected at the outset. The wording of their statement and conclusion, which dismisses this, reveals the true intention of the applicant to try to avoid the obvious correlation.

In view of the issues outlined above, we strongly contend that this Scoping Report is unfit for purpose and should be rejected. It shows that this proposal is not a single, unified entity but two separate projects spliced together in haste, making it much harder for the diverse communities affected to speak with one voice. The issues confronting each parcel are entirely different, and we believe this is a calculated, cynical and disingenuous attempt by the developer to take advantage of the new NSIP process to fast-track an ill-conceived proposal in order to maximise profits even further by co-locating as close to Creyke Beck as possible.

They have clearly undertaken the appropriate level of preliminary investigation prior to submission and have deliberately withheld important information from Beswick PC, the Action Group and other stakeholders in pursuit of rapid advancement through this new process.

Lockington Parish Council is liaising with all local parish councils and the Action Group created to represent both the Northern and Southern Parcels, as the parishes of Beswick, Watton, Lockington and Leconfield are too small and have too few parishioners to be taken seriously. This is, of course, the reason Dalton Estate and its Land Agent have determined this to be a perfect place to maximise their income, without thought for their tenants, the biodiversity in the area, and the large number of resident and migratory rare birds.

Given that we will be among the very first proposals to negotiate this new, shortened NSIP process, there must be an extremely strong focus on how all this plays out.

We strongly believe that the voices of local residents on such a hugely important proposal must be taken into account at the earliest possible stage in this new process, and that the evidence presented is compelling that this Clean Air Solar proposal does not demonstrate the due diligence required for a proposal that will irrevocably transform our rural, heritage landscape over the next 60 years.

From: SM-MMO-SH - MFA Marine Consents (MMO)
<marine.consents@marinemanagement.org.uk>
Sent: 27 July 2026 14:46
To: Clean Air Solar Farm <CleanAirSolar@planninginspectorate.gov.uk>
Subject: EN0110018 Clean Air Solar Farm - EIA Scoping and Consultation and Regulation 11 Notification

You don't often get email from marine.consents@marinemanagement.org.uk. [Learn why this is important](#)

Dear Sir/Madam,

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the [coastal concordat](#) and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: [check if you need a marine licence](#) and asked to quote the following information on any resultant marine licence application:

- local planning authority name,
- planning officer name and contact details,
- planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the [EIA Directive \(codified in Directive 2011/92/EU\)](#) is transposed into UK law by [the Marine Works \(Environmental Impact Assessment\) Regulations 2007 \(the MWR\), as amended](#). Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application>

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A [map](#) showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our [Explore Marine Plans](#) service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the [Marine and Coastal Access Act](#) and the [UK Marine Policy Statement](#) unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our [online guidance](#) and the [Planning Advisory Service soundness self-assessment checklist](#). If you wish to contact your local marine planning officer you can find their details on our [gov.uk page](#).

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.

- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

Kind regards,

[REDACTED] | Marine Licensing Business Support Officer | Marine Licensing | Marine Management Organisation

[REDACTED] [REDACTED] [@marinemanagement.org.uk](mailto:[REDACTED]@marinemanagement.org.uk) | Tyneside House | Skinnerburn Road | Newcastle upon Tyne | NE4 7AR

Our MMO Values: Together we are **Accountable, Innovative, Engaging** and **Inclusive**

[REDACTED]

I'm a PCS Union member. Join here to help improve and defend our pay, conditions and benefits: <https://www.pcs.org.uk/get-involved/why-join-pcs>



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Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

E-mail: DIO-safeguarding-statutory@mod.gov.uk

www.mod.uk/DIO

16 July 2026

Environmental Services,
Infrastructure Decisions
and Applications Service
Planning Inspectorate

By Email

Your reference: EN0110018
Our reference: DIO 10071122

Dear Sir/Madam,

MOD Safeguarding – RAF Leconfield

Proposal: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11. Proposed application by Clean Air Renewables Limited (the applicant) for an Order granting Development Consent for the Clean Air Solar Farm (the proposed development)

Location: Northern parcel 3 miles north of Beverley, to the east of the A164. Southern parcel southwest of the A1079

Grid Ref:

Northern Parcel:	E 503707, N 446695
Southern Parcel:	E 500565, N 435986
Creyke Beck Substation:	E 504476, N 434989

Thank you for consulting the Ministry of Defence (MOD) on the above Scoping Opinion which was received by his office on 30th June 2026.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

Clean Air Renewables Ltd (the applicant) has submitted a Scoping Report for the proposed construction, operation (and maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility across two separate parcels of land (the 'northern land parcel' and the 'southern land parcel') on approximately 1,154 hectares (ha) of land, falling entirely within the administrative area of East Riding of Yorkshire Council. The project includes solar PV arrays, two onsite substations, Battery Energy Storage System (BESS) units, Power Conversion Stations (PCS), environmental mitigation and enhancement areas, and associated grid connection infrastructure including a buried cable to the National Grid Creyke Beck Substation extension at Wanlass Beck. The Proposed Development will provide up to 500 megawatts (MW) of electricity.

The application site is currently at pre-application stage as, as such, gives details of a proposed cable search area. Proposals state that at this stage it is anticipated that the grid connection will comprise underground cabling. The proposed cable search area is in the vicinity of RAF Leconfield and as such falls within the technical safeguarding zones surrounding that site.

Technical

Technical site safeguarding zones serve to protect the effective operation of transmitter/receiver installations used to deliver air traffic navigational service and communications. These safeguarding zones serve to manage the height of new structures, the materials used in their construction, as well as potential sources of electromagnetic or electrical noise interference.

The proposed development falls within a technical height safeguarding zone in which the MOD needs to be consulted upon any installation of overhead lines (OHL).

As current proposals mention only underground cables, the MOD at this stage has no concerns relating to this development. However, the MOD will need to be consulted at all future stages of the development in particular should proposals change to include overhead lines for the grid connection infrastructure.

In summary the MOD has no concerns about this proposed development but requests that it be consulted at all future stages of the application process via the above multiuser email address in order to complete a full, detailed safeguarding assessment.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed on the Planning Inspectorate's website as of the date of this letter. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response'

I trust this is clear however should you have any questions please do not hesitate to contact us

Yours sincerely

DIO Safeguarding Team

Submitted via email to: CleanAirSolar@planninginspectorate.gov.uk

Date: 28th July 2026

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Clean Air Renewables Limited (the Applicant) for an Order granting Development Consent for the Clean Air Solar Farm (the Proposed Development)

I refer to your letter dated 30/06/2026 regarding the above proposed DCO. This is a response on behalf of National Gas Transmission PLC (NGT). Having reviewed the scoping consultation documents, NGT wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGT has 1 feeder main located within or in proximity to the Order limits. Details of this infrastructure is as follows:

- Feeder Main – FM29 – Ganstead to Asselby
- Cathodic Protection Groundbeds/TR
- Ancillary apparatus

Please note that NGT has existing rights for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings / structures, change to existing ground levels or storage of materials etc within the easement strip.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.

General Pipeline Information

NGT requires its pipelines remain accessible during and after completion of any works. Some work types have specific restrictions when being undertaken in the vicinity of gas assets, therefore, early consultation with NGT is essential.

General information Promoters should be aware of is contained in *UKOPA GPG/042 - Guidance on the Issues to be Considered by Promoters, Designers and Planners of New Developments in the Vicinity of High Pressure Pipelines* [Good Practice Guide](#).

Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of an NGT representative. Ground cover above our pipelines should not be reduced or increased. Further guidance around working safely may be sought from NGT and additional specifications provided where required.

Any works within the vicinity of NGT's pipelines must adhere to the safe working requirements set out in [T/SP/SSW/22](#).

If any excavations are planned within a pipeline's easement, or within 10 metres (whichever is higher), or within 10 metres of an Above Ground Installation (AGI), or if any embankment or dredging works are proposed, then the actual position and depth of the pipeline must be established on site in the presence of a NGT representative. A safe working method must be agreed prior to any work taking place to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

Any large installations which may result in a population increase in the vicinity of a high pressure gas pipeline must comply with the HSE's Land Use Planning (LUP) methodology, and the HSE response should be submitted to NGT for review. NGT will typically support the HSE's advice, however, the HSE's LUP methodology differs from IGEM risk assessment methodology and as such, the pipeline operating conditions / specifications and the formation of a population cluster and / or increased population density near the pipeline as a result of development, may provide sufficient reasons on safety grounds for NGT to request that the Promoter / Developer conducts a risk assessment in form of a Quantitative Risk Assessment (QRA). The QRA must be completed by a specialist company approved to carry out these assessments for NGT.

Solar Farms / BESS

There is specific criteria that must be adhered to for developing electrical infrastructure near NGT's gas pipelines to avoid unacceptable levels of interference.

Information Promoters should be aware of is contained in *UKOPA/GP/014 Requirements for the Siting and Installation of Solar Photovoltaic (PV)* and *UKOPA/GPG/031 DC Interference Guidelines*.

Subject to compliance with the acceptable interference criteria in the standards, the installation can be built adjacent to pipelines but never within the easement. It is possible that the pipelines are already experiencing acceptable levels of interference, and in such cases the level of acceptance for new constructions shall be restricted to levels that do not raise the existing levels beyond the acceptable levels defined in the standards.

Utility crossings over NGT's pipelines are restricted and require formal written permission in the form of a Deed of Consent before any installation / construction within the pipeline easement is permitted.

The Promoter is to engage with NGT for further guidance in the early stages of design to ensure the required integrity assessments are agreed, and consideration has been given to electrical interference, security, crossing points, future access and safe construction methods, all of which must be mutually agreed prior to undertaking any works on site.

HV cables (UG)

There is specific criteria that must be adhered to for developing electrical infrastructure near NGT's pipelines to avoid unacceptable levels of interference.

Information Promoters should be aware of is contained in *UKOPA/GPG/027AC Corrosion Guidelines* and *UKOPA/GPG/031DC Interference Guidelines*.

Utility crossings over NGT's gas pipelines are restricted and require formal written permission in the form of a Deed of Consent before any installation / construction within the pipeline easement is permitted.

Cables must cross the pipeline as close to perpendicular as possible to limit the risk of interference. A new service must not be laid parallel within NGT's easement strip.

The separation distance for a cable >33kV is 1000mm. However, trenchless installation techniques may increase the required separation to be further. No new assets will be permitted to be installed with 600mm of NGT's pipeline.

The Promoter is to engage with NGT for further guidance in the early stages of design to ensure the required integrity assessments are agreed, and consideration has been given to electrical interference, security, crossing points, future access and safe construction methods, all of which must be mutually agreed prior to undertaking any works on site.

Pipelines and Buried Services

There is specific criteria that must be adhered to for developing electrical infrastructure near NGT's pipelines to avoid unacceptable levels of interference.

Utility crossings over NGT's pipelines are restricted and require formal written permission in the form of a Deed of Consent before any installation / construction within the pipeline easement is permitted.

The Promoter is to engage with NGT for further guidance in the early stages of design to ensure the required integrity assessments are agreed, and consideration has been given to electrical interference, security, crossing points, future access and safe construction methods, all of which must be mutually agreed prior to undertaking any works on site.

Pipelines must cross NGT's pipeline as close to perpendicular as possible to limit the risk of interference. A new pipeline must not be laid parallel within NGT's easement strip. The separation distance for a pipeline is 1000mm. However, trenchless installation techniques may increase the required separation to be further.

Yours faithfully,



DCO Liaison Officer

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Lead Development Liaison Officer
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Rachel Hagan
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Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)
National Grid Electricity Transmission (NGET)
www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
CleanAirSolar@planninginspectorate.gov.uk

23 July 2026

Dear Sir/Madam

RE: APPLICATION BY Clean Air Renewables Limited (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE Clean Air Solar Farm (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

We refer to your letter dated 30h July 2026 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the scoping report, I would like to make the following comments regarding NGET existing or future infrastructure in close proximity to the current red line boundary.

NGET has high voltage electricity substations and overhead transmission lines within close proximity the scoping area. The overhead lines form an essential part of the electricity transmission network in England and Wales.

Existing Infrastructure

Substation
Substation

- Creyke Beck 400kv Substation
- Creyke Beck 132kv Substation

Associated overhead and underground apparatus including cables

Overhead Lines

4ZR ROUTE 400kV

CREYKE BECK - THORNTON 1

CREYKE BECK - THORNTON 2

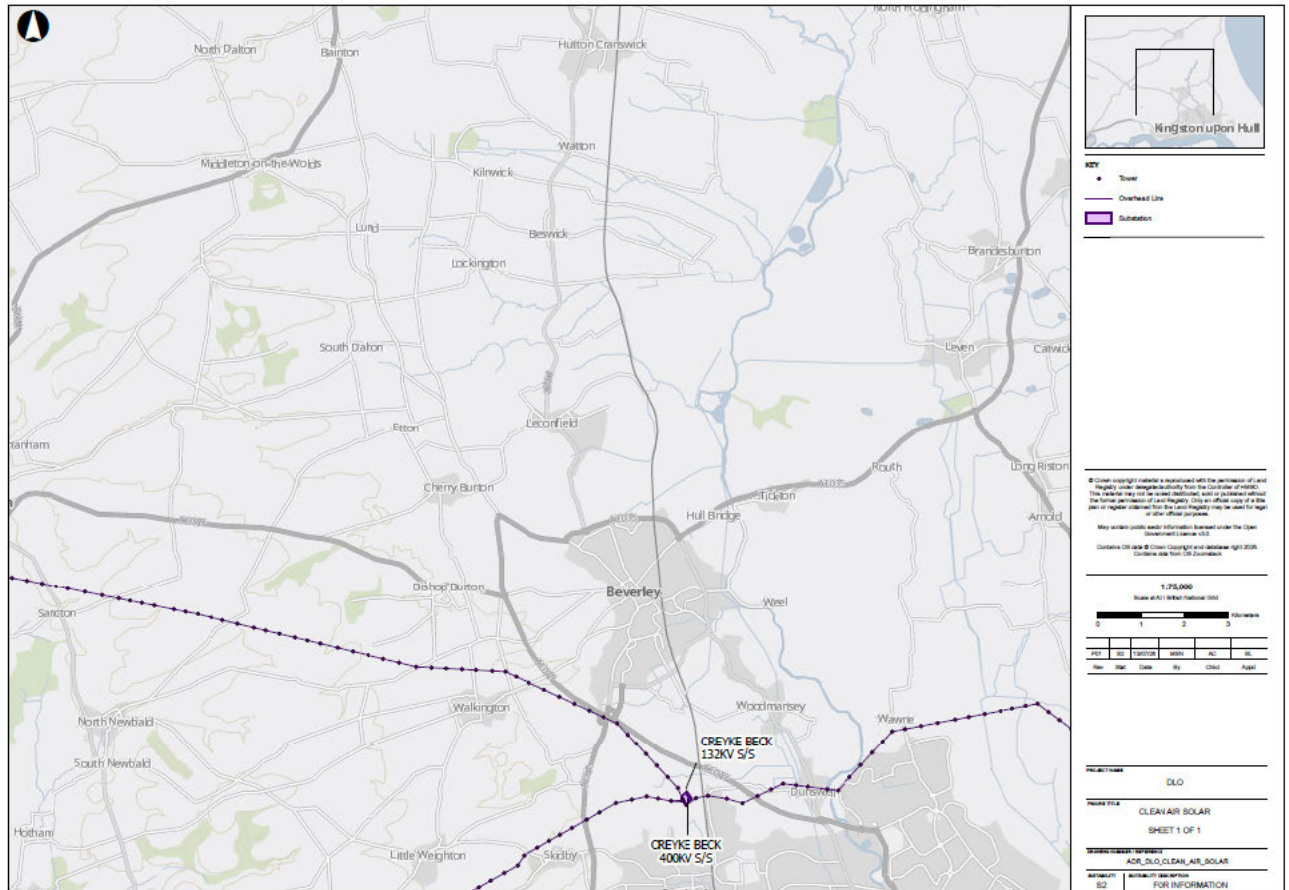
4ZQ ROUTE 400kV

CREYKE BECK - HUMBER REFINERY - KEADBY

CREYKE BECK - KEADBY - KILLINGHOME

We enclose plans showing the location of NGET's apparatus in the scoping area.

In addition, GIS shapefiles of approximate locations of our national electricity transmission network are freely available from here: <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/network-route-maps>. You can also check if your works will affect our transmission network by using the Line search website: <https://lsbud.co.uk/>.



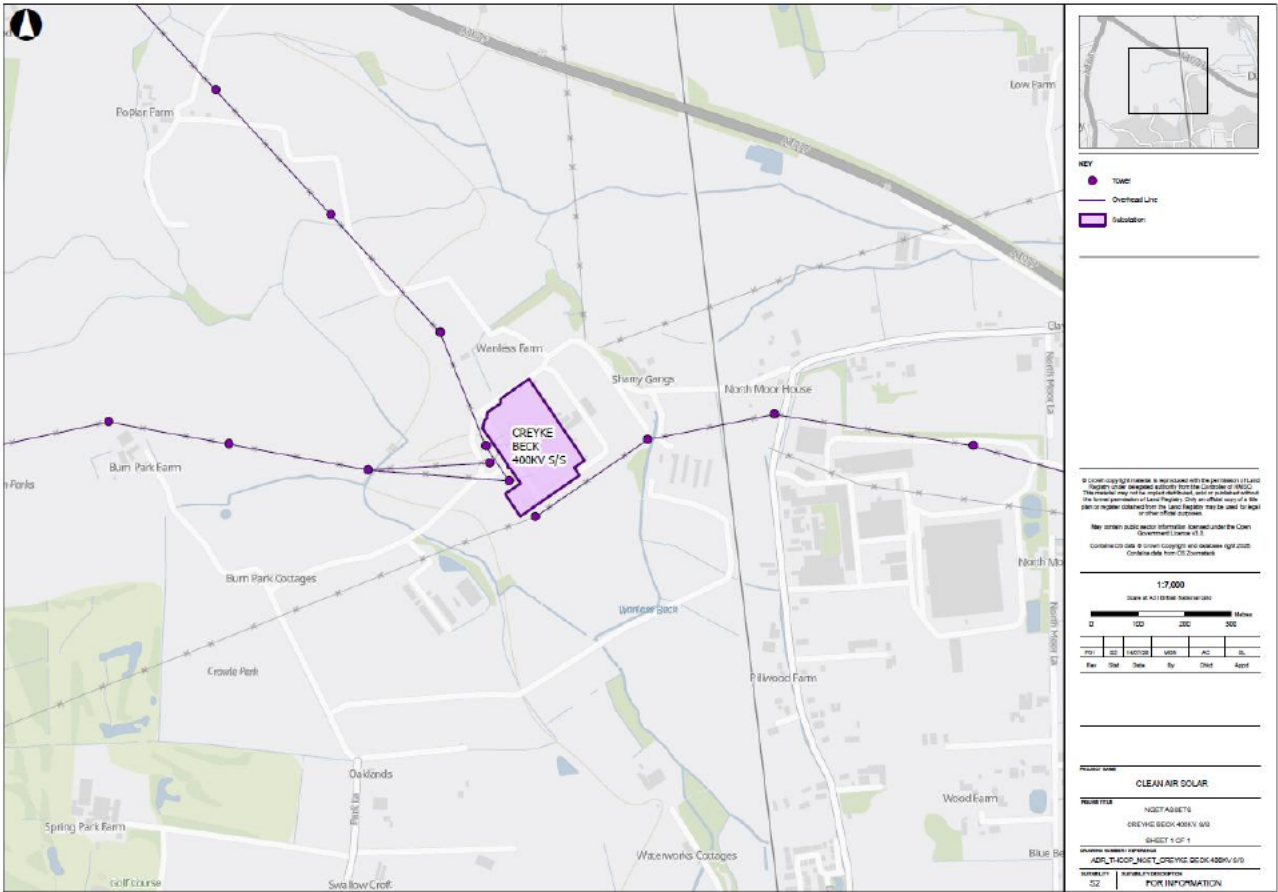


Figure 2: NGET's Creyke Beck 400kV Substation

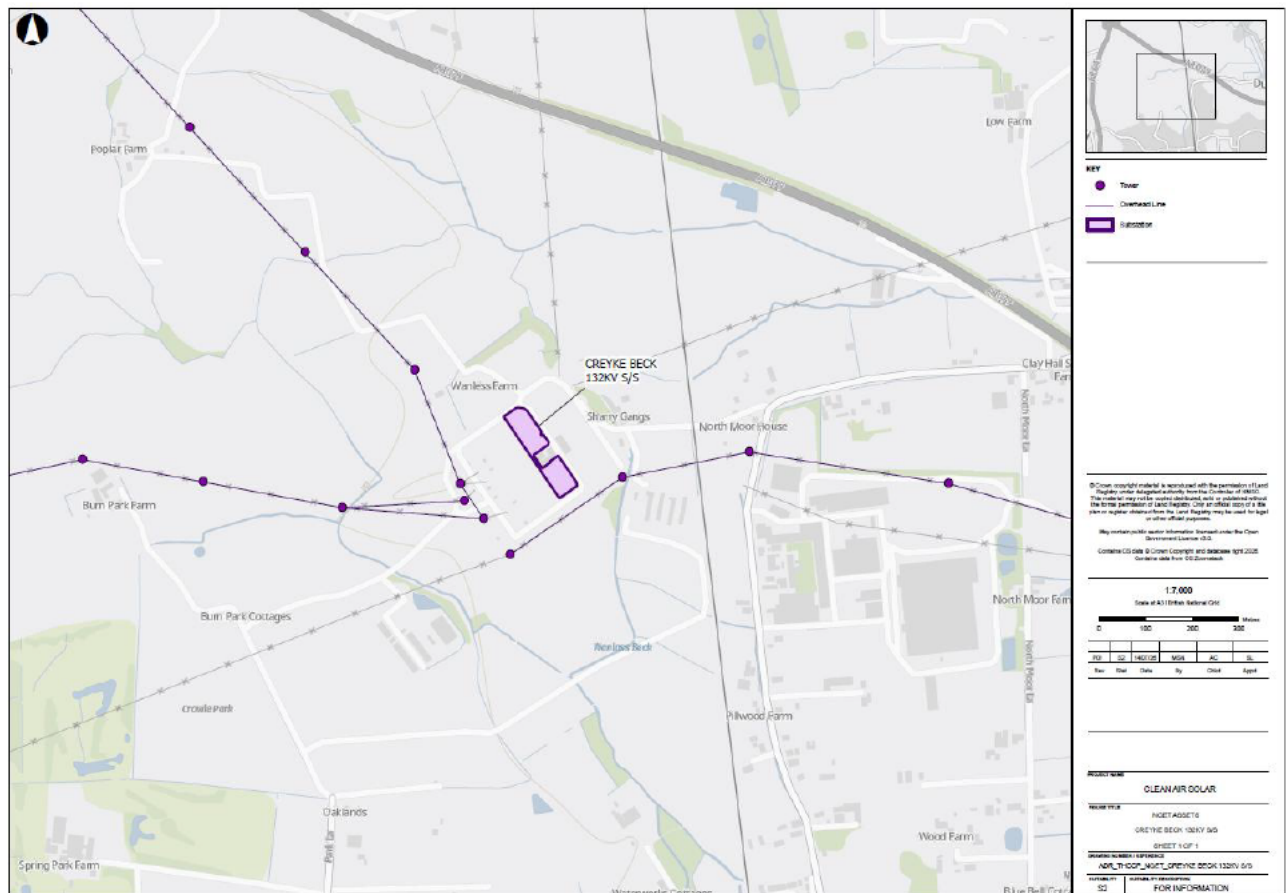


Figure 3: NGET's Creyke Beck 132kV Substation

New infrastructure

The National Energy System Operator (NESO) took over the electricity network planning responsibility from National Grid Electricity System Operator Limited (NGESO) on the 1st October 2024. Please consult with NESO separately from NGET where further information on the strategic need or capacity is sought.

Please refer to the Holistic Network Design (HND) and the NESO website to view the strategic vision for the UK's ever growing electricity transmission network: <https://www.neso.energy/publications/beyond-2030/holistic-network-design-offshore-wind>; and <https://www.neso.energy/publications/beyond-2030>

Point of Connection

We note that in the FAQs on the Clean Air Solar Project's website there is a mention of connecting to the national grid via Wanlass Beck substation – we are not aware of this project having its own signed connection agreement, nor is it accommodated through any 3rd parties signed connection agreements.

Onshore Infrastructure

North Humber to High Marnham

The National Grid Electricity Transmission (NGET) North Humber to High Marnham (NH-HM) project includes a proposed new 400 kV overhead line (Route code: 4AF) between new substations at Birkhill Wood in East Riding of Yorkshire and High Marnham in Nottinghamshire.

Non-statutory consultation was undertaken for the project in 2023 with statutory consultation completed between February and April 2025. NGET intend to submit the application to the Secretary of State for Energy Security and Net Zero via the Planning Inspectorate in September 2026.

Due to the interactions associated with the construction, operation and maintenance of the NH-HM project and the proposed Clean Air Solar Farm project areas that interact with the NH-HM project proposed order limits, **NGET wishes to raise a holding objection**, due to the potential issues identified below. NGET welcome the opportunity to coordinate with Clean Air Solar Farm on the issues raised.

Project interactions

Works for the NH-HM project would include construction and installation of pylons, and conductors with temporary works to allow for the installation of construction haul roads, conductor stringing areas, pylon working areas and scaffolded crossing protection. Permanent rights of access for maintenance of the proposed overhead line will also be required to each pylon.

The southern parcel proposed for Clean Air Solar Farm to the west of A164 Minster Way has significant interactions with the NGET proposed NH-HM project as detailed below with the proposed NH-HM order limits extend through a large section of the proposed solar farm area:

- Four pylons (4AF9, 4AF10, 4AF12 and 4AF13) are sited on land which is shown as being developed for Clean Air Solar Farm. One pylon (4AF14) could encroach on the proposed solar farm boundary if the Limits of Deviation for the project were implemented
- The proposed construction haul road for NH-HM runs through a significant length of the proposed solar farm from proposed bellmouths located off Dunflat Road and Little Weighton Road. Construction hauls roads are essential to enable the construction programme to be met and to minimise impacts upon the local highway network.
- Two stringing areas located at 4AF9 and 4AF12 are sited within areas proposed for the solar farm.
- Scaffold protection over A164 is positioned within the proposed solar farm boundary.
- Future maintenance access routes for each of the proposed pylons are within or adjacent to the proposed solar farm boundary and suitable space would be required around each pylon to ensure the assets can be safely operated and maintained. Further detail on requirements is provided in 'Technical Guidance Note 287: Third-party guidance for working near National Grid Electricity Transmission equipment',
- NGET remain unclear as to the proposed cable route of the solar farm which could have interactions with the NH-HM project to the east of A164.

The construction programme for NH-HM is 2028 to 2031 with a two year restoration period between 2031 and 2033. The proposed timescales for Clean Air Solar Farm identify 2030 as a possible start of construction meaning that there is potential for overlap in NH-HM construction and restoration programme. Co-ordination will be required to ensure that construction and delivery of the NH-HM project is not impacted by the development of the solar farm. Based on current information it is also not clear how the proposed 4AF overhead line would be able to be safely operated and maintained in co-existence with the proposed Clean Air Solar Farm.

We look forward to being kept informed as your proposals develop and will be available to attend meetings to discuss interactions.

Wanlass Beck new 400kV substation

LPA: East Riding of Yorkshire Council

Planning permission reference: : 24/03819/STPLF (granted 22 December 2025) (amended by non-material amendment ref: 26/40026/NONMAT approved on 16 March 2026)

Proposal: Erection of a 400kV electricity substation, construction of vehicular access and associated access road and diversion of Park Lane with associated works

Location: Creyke Beck Substation 4875, Park Lane, Cottingham, East Riding Of Yorkshire

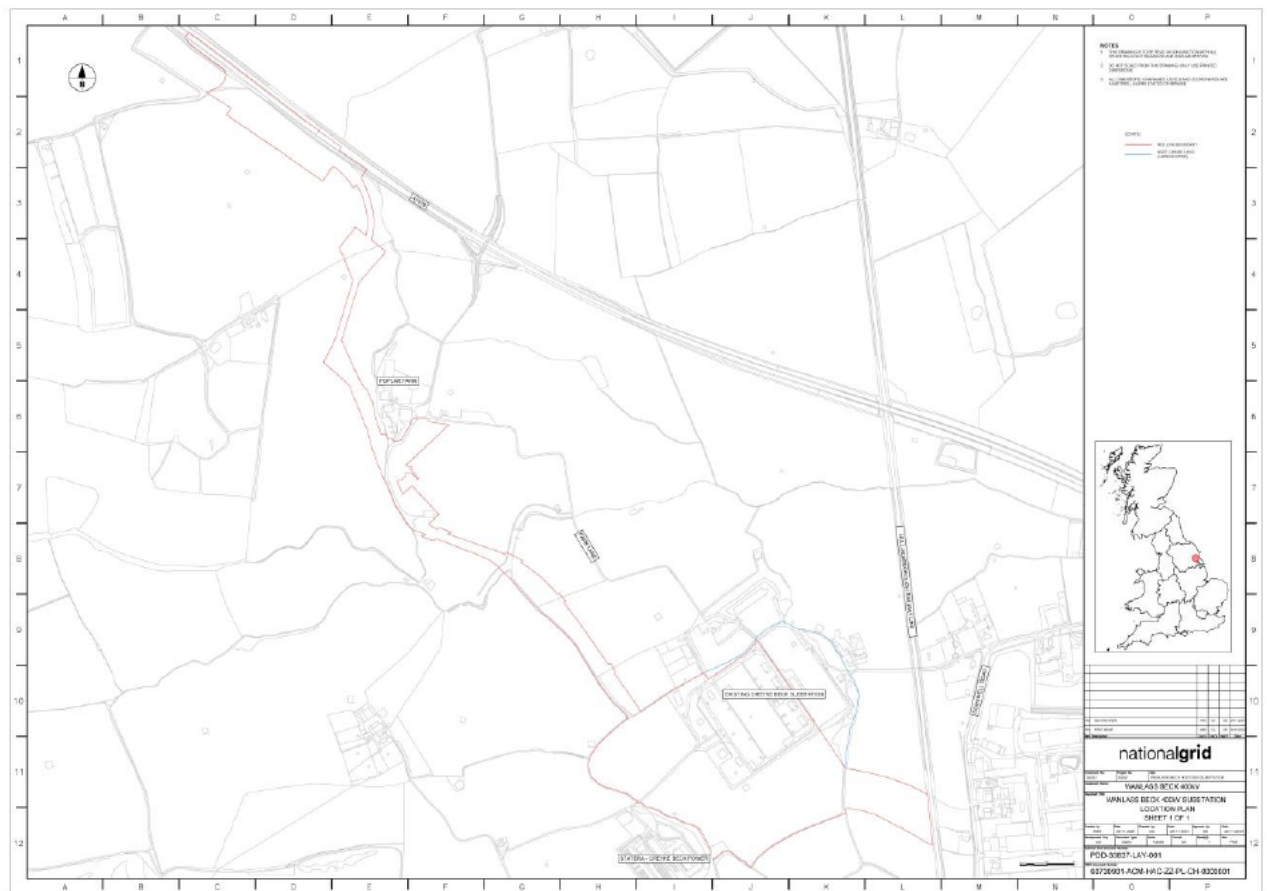


Figure 4: Location Plan of Wanlass Beck new 400kV substation

Birkhill Wood new 400kV Substation

LPA: East Riding of Yorkshire Council

Planning permission ref: 25/01898/STPLF (granted 27 February 2026)

Proposal: Erection of a new 400kV electricity substation, new vehicular access, new access road and associated works

Location: Land South East Of Poplar Farm, Park Lane, Cottingham, East Riding Of Yorkshire, HU16 5SA,

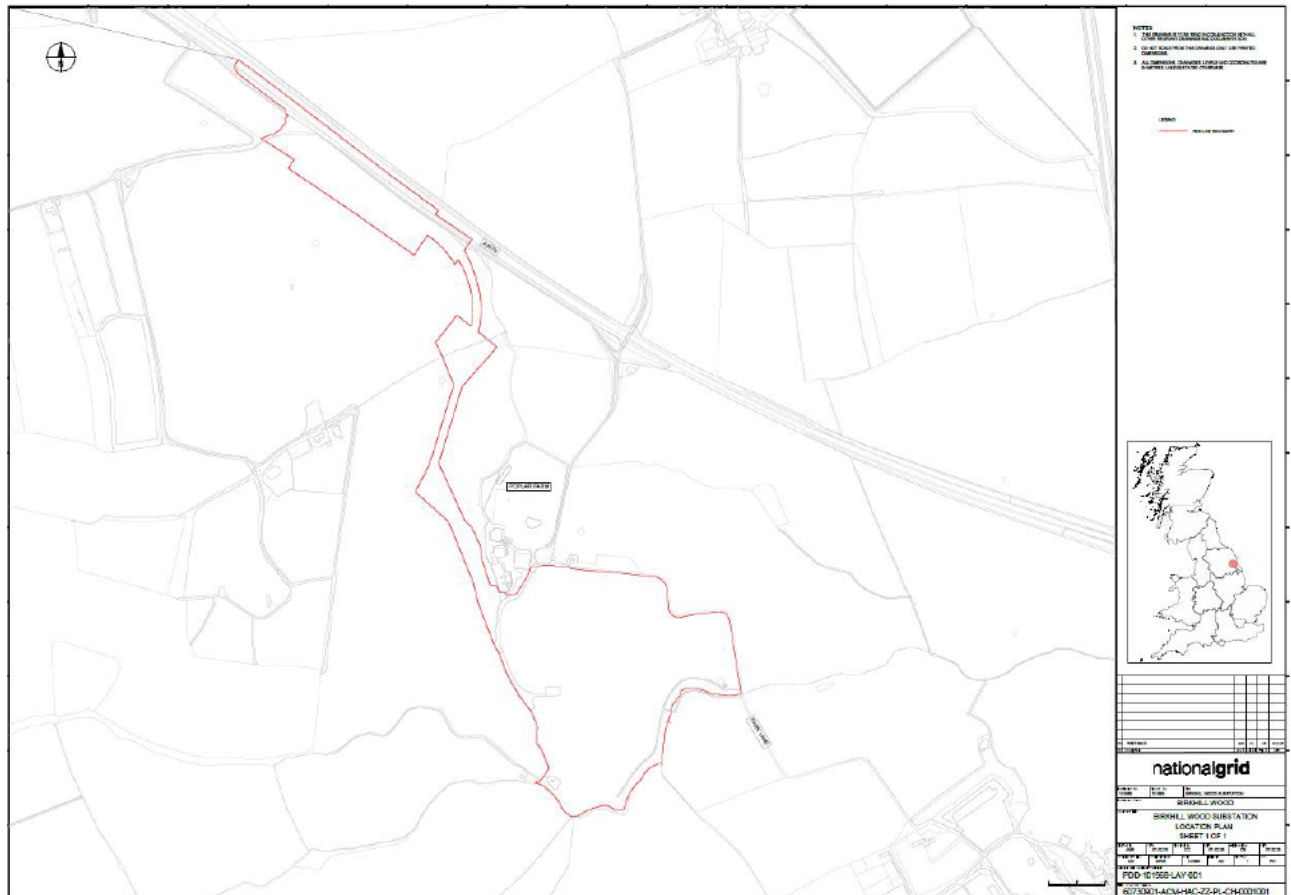


Figure 5: Location Plan of Birkhill Wood new 400kV Substation

Birkhill Wood Section 37 Consent (temporary OHL)

DESNZ Ref: 12.04.09.05-2376U (granted 11 March 2026)

Birkhill Wood CPO

National Grid Electricity Transmission (Birkhill Wood Substation Project) Compulsory Purchase Order 2025

Decision letter (23 April 2026): National Grid Electricity Transmission (Birkhill Wood Substation Project): Compulsory Purchase Order 2025 - GOV.UK

CPO documents & plans: Birkhill Wood | National Grid

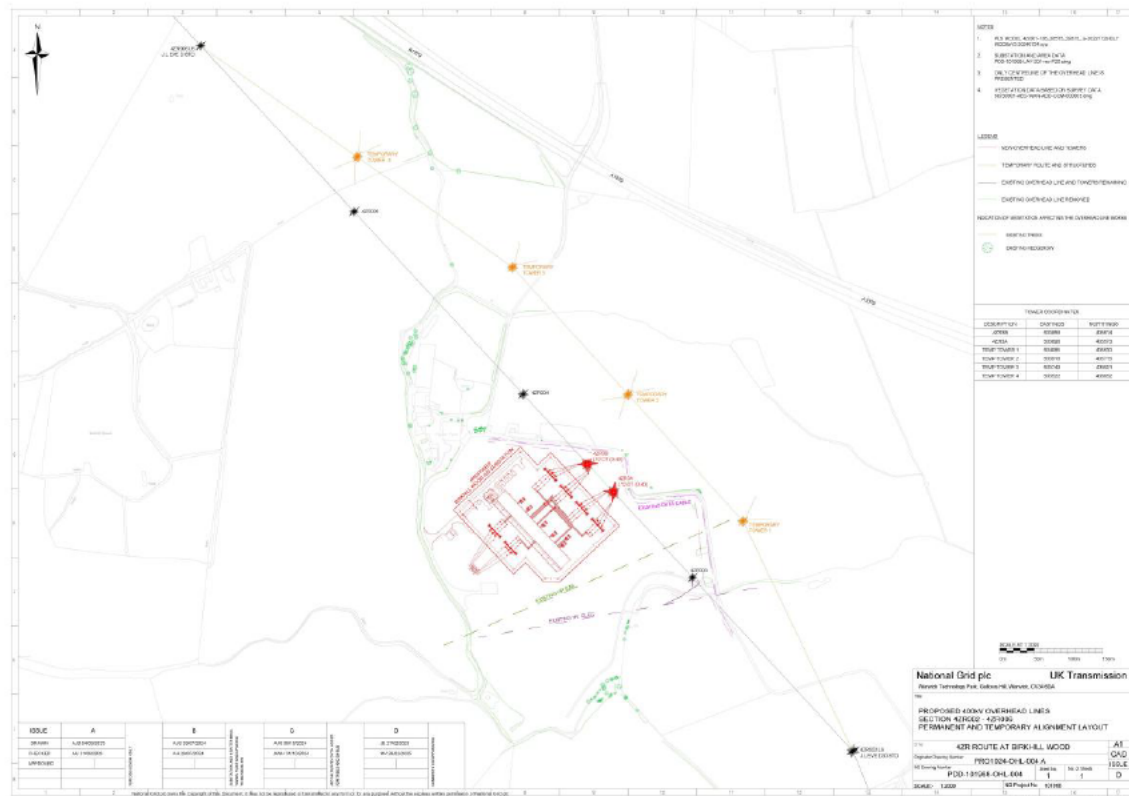


Figure 6: Birkhill Wood Substation Project

It should be noted that there may be further interactions with additional new strategic infrastructure where the projects are in their early development.

NGET requests that all existing and future assets are given due consideration given their criticality to the high-voltage transmission of electricity across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects>. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

The following points should be taken into consideration.

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures

are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 5 (2019)”.

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines, then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive’s (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors. When those conductors are under their worst conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence, we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Further Advice

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com

We hope the above information is useful. If you require any further information, please do not hesitate to contact me. In the meantime, we look forward to receipt of further information and consultation relating to potential impacts on our assets.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully,



Tiffany Bate



Rachel Hagan

Lead Development Liaison Officer
Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)

Development Liaison Support Officer
Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)

Technical Guidance Note 287

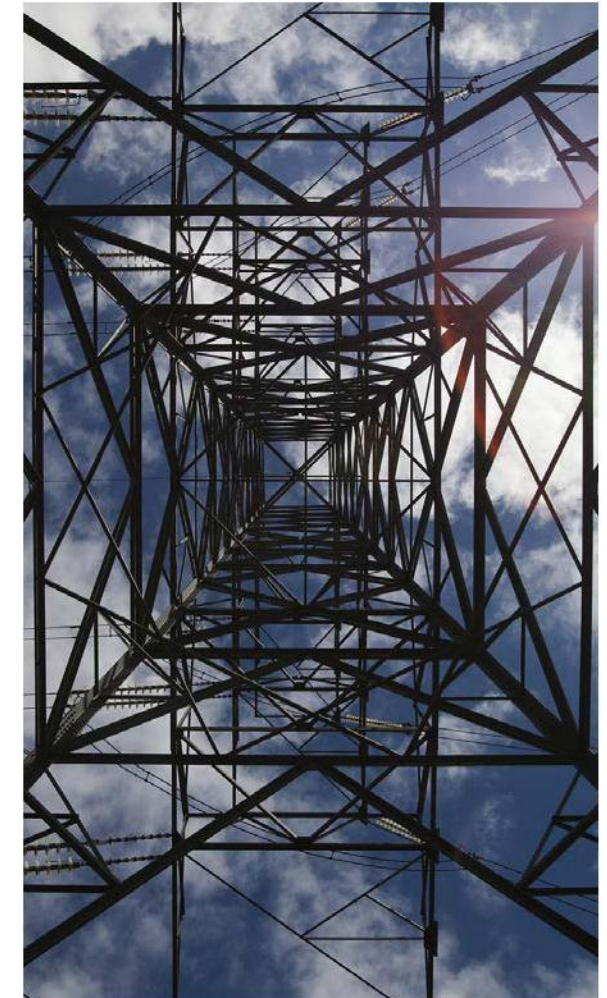
Third-party guidance for working near National Grid Electricity Transmission equipment

nationalgrid





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Disclaimer

National Grid Gas Transmission and National Grid Electricity Transmission or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law, nor does it supersede the express terms of any related agreements.



Purpose and scope

The purpose of this document is to give guidance and information to third parties who are proposing, scheduling or designing developments close to National Grid Electricity Transmission assets.

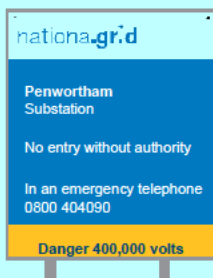
The scope of the report covers information on basic safety and the location of our assets – and also highlights key issues around particular types of development and risk areas.

In the case of electrical assets, National Grid does not authorise or agree safe systems of work with developers and contractors. However, we will advise on issues such as electrical safety clearances and the location of towers and cables. We also work with developers to minimise the impact of any National Grid assets that are nearby.

How to identify specific National Grid sites

Substations

The name of the Substation and emergency contact number will be on the site sign.



Overhead Lines

The reference number of the tower and the emergency contact number will be on this type of sign.



Contact National Grid

Plant protection

For routine enquiries regarding planned or scheduled works, contact the Asset Protection team online, by email or phone.

www.lsbud.co.uk

Email: assetprotection@nationalgrid.com

Phone: 0800 001 4282

Emergencies

In the event of occurrences such as a cable strike, coming into contact with an overhead line conductor or identifying any hazards or problems with National Grid's equipment, phone our emergency number 0800 404 090 (option 1).

If you have apparatus within 30m of a National Grid asset, please ensure that the emergency number is included in your site's emergency procedures.

Consider safety

Consider the hazards identified in this document when working near electrical equipment



Part 1

Electricity transmission infrastructure

National Grid owns and maintains the high-voltage electricity transmission network in England and Wales (Scotland has its own networks). It's responsible for balancing supply with demand on a minute-by-minute basis across the network.

Overhead lines

Overhead lines consist of two main parts – pylons (also called towers) and conductors (or wires). Pylons are typically steel lattice structures mounted on concrete foundations. A pylon's design can vary due to factors such as voltage, conductor type and the strength of structure required.

Conductors, which are the 'live' part of the overhead line, hang from pylons on insulators. Conductors come in several different designs depending on the amount of power that is transmitted on the circuit.

In addition to the two main components, some Overhead Line Routes carry a Fibre Optic cable between the towers with an final underground connection to the Substations.

In most cases, National Grid's overhead lines operate at 275kV or 400kV.

Underground cables

Underground cables are a growing feature of National Grid's network. They consist of a conducting core surrounded by layers of insulation and armour. Cables can be laid in the road, across open land or in tunnels. They operate at a range of voltages, up to 400kV.

Substations

Substations are found at points on the network where circuits come together or where a rise or fall in voltage is required. Transmission substations tend to be large facilities containing equipment such as power transformers, circuit breakers, reactors and capacitors. In addition Diesel generators and compressed air systems can be located there.

Part 2

Statutory requirements for working near high-voltage electricity

The legal framework that regulates electrical safety in the UK is *The Electricity Safety, Quality and Continuity Regulations (ESQCR) 2002*. This also details the minimum electrical safety clearances, which are used as a basis for the Energy Networks Association (ENA) TS 43-8. These standards have been agreed by CENELEC (European Committee for Electrotechnical Standardisation) and also form part of the *British Standard BS EN 50341-1:2012 Overhead Electrical Lines exceeding AC 1kV*. All electricity companies are bound by these rules, standards and technical specifications. They are required to uphold them by their operator's licence.

Electrical safety clearances

It is essential that a safe distance is kept between the exposed conductors and people and objects when working near National Grid's electrical assets. A person does not have to touch an exposed conductor to get a life-threatening

electric shock. At the voltages National Grid operates at, it is possible for electricity to jump up to several metres from an exposed conductor and kill or cause serious injury to anyone who is nearby. For this reason, there are several legal requirements and safety standards that must be met.

Any breach of legal safety clearances will be enforced in the courts. This can and has resulted in the removal of an infringement, which is normally at the cost of the developer or whoever caused it to be there. Breaching safety clearances, even temporarily, risks a serious incident that could cause serious injury or death.

National Grid will, on request, advise planning authorities, developers or third parties on any safety clearances and associated issues. We can supply detailed drawings of all our overhead line assets marked up with relevant safe areas.



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Your Responsibilities - Overhead lines

Work which takes place near overhead power lines carries a significant risk of coming into proximity with the wires. If any person, object or material gets too close to the wires, electricity could 'flashover' and be conducted to earth, causing death or serious injury. You do not need to touch the wires for this to happen. The law requires that work is carried out in close proximity to live overhead power lines only when there is no alternative, and only when the risks are acceptable and can be properly controlled. Statutory clearances exist which must be maintained, as prescribed by the Electricity Safety, Quality and Continuity Regulations 2002.

Under the Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999, you are responsible for preparing a suitable and sufficient risk assessment and safe systems of work, to ensure that risks are managed properly and the safety of your workforce and others is maintained. Your risk assessment must consider and manage all of the significant risks and put in place suitable precautions/controls in order to manage the work safely. You are also responsible for ensuring that the precautions identified are properly implemented and stay in place throughout the work.

Work near overhead power lines must always be conducted in accordance with GS6, 'avoiding danger from overhead power lines', and any legislation which is relevant to the work you are completing.

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What National Grid will provide

National Grid can supply profile drawings in PDF and CAD format showing tower locations and relevant clearances to assist you in the risk assessment process.

What National Grid will not provide

National Grid will not approve safe systems of work or approve design proposals

Part 3

What National Grid will do for you and your development

Provision of information

National Grid should be notified during the planning stage of any works or developments taking place near our electrical assets, ideally a minimum notification period of 8 weeks to allow National Grid to provide the following services:

Drawings

National Grid will provide relevant drawings of overhead lines or underground cables to make sure the presence and location of our services are known. Once a third party or developer has contacted us, we will supply the drawings for free.

Risk or impact identification

National Grid can help identify any hazards or risks that the presence of our assets might bring to any works or developments. This includes both the risk to safety from high-voltage electricity and longer-term issues, such as induced currents, noise and maintenance access that may affect the outcome of the development. National Grid will not authorise specific working procedures, but we can provide advice on best practice.

400kV

The maximum nominal voltage of the underground cables in National Grid's network





Risks or hazards to be aware of

This section includes a brief description of some of the hazards and issues that a third party or developer might face when working or developing close to our electrical infrastructure.

Land and access

National Grid has land rights in place with landowners and occupiers, which cover our existing overhead lines and underground cable network. These agreements, together with legislation set out under the *Electricity Act 1989*, allow us to access our assets to maintain, repair and renew them. The agreements also lay down restrictions and covenants to protect the integrity of our assets and meet safety regulations. Anyone proposing a development close to our assets should carefully examine these agreements.

Our agreements often affect land both inside and outside the immediate vicinity of an asset. Rights will include the provision of access, along with restrictions that ban the development of land through building, changing levels, planting and other operations. Anyone looking to develop close to our assets must consult with National Grid first.

For further information, contact Asset Protection:

Email: assetprotection@nationalgrid.com
Phone: 0800 001 4282

Electrical clearance from overhead lines

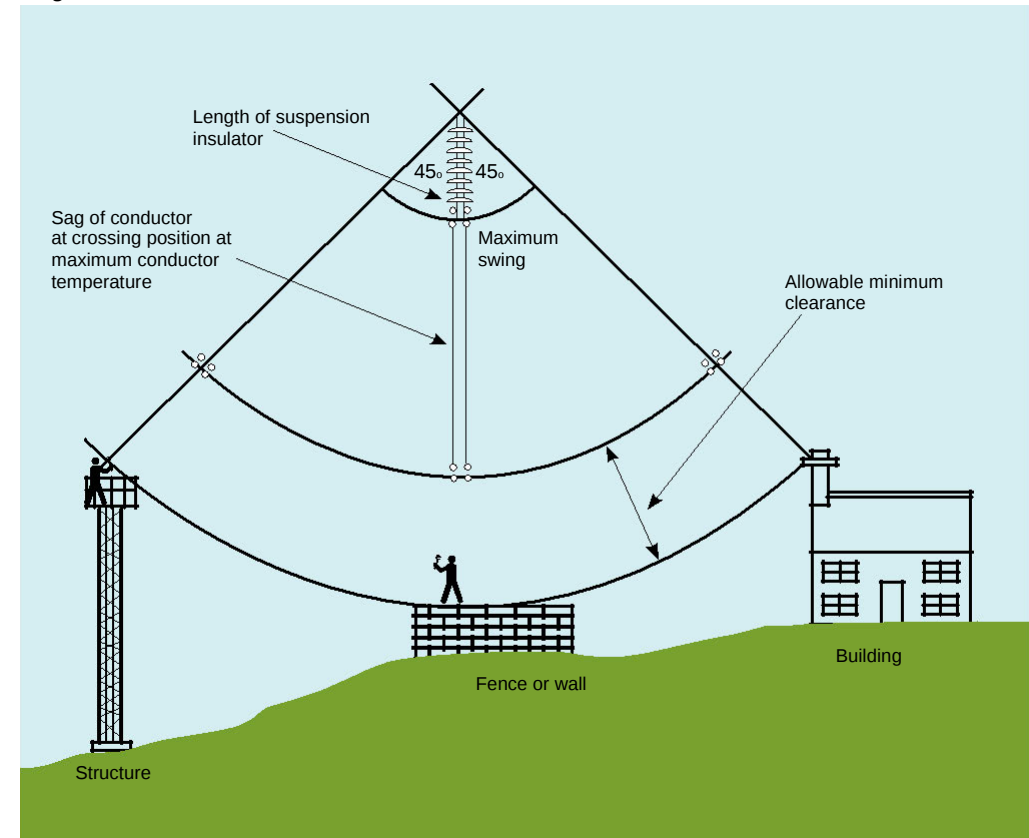
The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.

As we explained earlier, *Electrical Networks Association TS 43-8* details the legal clearances to our overhead lines. The minimum clearance between the conductors of an overhead line and the ground is 7.3m at maximum sag. The sag is the vertical distance between the wire's highest and lowest point. Certain conditions, such as power flow, wind speed and air temperature can cause conductors to move and allowances should be made for this.

The required clearance from the point where a person can stand to the conductors is 5.3m. To be clear, this means there should be at least 5.3m from where someone could stand on any structure (i.e. mobile and construction equipment) to the conductors. Available clearances will be assessed by National Grid on an individual basis.

National Grid expects third parties to implement a safe system of work whenever they are near Overhead Lines.

Diagram not to scale



There should be at least 5.3m between the conductors and any structure someone could stand on

We recommend that guidance such as *HSE Guidance Note GS6 (Avoiding Danger from Overhead Power Lines)* is followed, which provides advice on how to avoid danger from all overhead lines, at all voltages. If you are carrying out work near overhead lines you must contact National Grid, who will provide the relevant profile drawings.

7.3m

The required minimum clearance between the conductors of an overhead line, at maximum sag, and the ground

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The undergrounding of electricity cables at Ross-on-Wye

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Underground cables Underground cables operating at up to 400kV are a significant part of the National Grid Electricity Transmission network. When your works will involve any ground disturbance it is expected that a safe system of work is put in place and that you follow guidance such as *HSG 47 (Avoiding Danger from Underground Services)*.

You must contact National Grid to find out if there are any underground cables near your proposed works. If there are, we will provide cable profiles and location drawings and, if required, on-site supervision of the works. Cables can be laid under roads or across industrial or agricultural land. They can even be laid in canal towpaths and other areas that you would not expect.

Cables crossing any National Grid high-voltage (HV) cables directly buried in the ground are required to maintain a minimum separation that will be determined by National Grid on a case-by-case basis. National Grid will need to do a rating study on the existing cable to work out if there are any adverse effects on either cable rating. We will only allow a cable to cross such an area once we know the results of the re-rating. As a result, the clearance distance may need to be increased or alternative methods of crossing found.

For other cables and services crossing the path of our HV cables, National Grid will need confirmation that published standards and clearances are met.

Impressed voltage

Any conducting materials installed near high-voltage equipment could be raised to an elevated voltage compared to the local earth, even when there is no direct contact with the high-voltage equipment. These impressed voltages are caused by inductive or capacitive coupling between the high-voltage equipment and nearby conducting materials and can occur at distances of several metres away from the

equipment. Impressed voltages may damage your equipment and could potentially injure people and animals, depending on their severity. Third parties should take impressed voltages into account during the early stages and initial design of any development, ensuring that all structures and equipment are adequately earthed at all times.

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next page »

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Earth potential rise

Under certain system fault conditions – and during lightning storms – a rise in the earth potential from the base of an overhead line tower or substation is possible. This is a rare phenomenon that occurs when large amounts of electricity enter the earth. This can pose a serious hazard to people or equipment that are close by.

We advise that developments and works are not carried out close to our tower bases, particularly during lightning storms.

Noise

Noise is a by-product of National Grid's operations and is carefully assessed during the planning and construction of any of our equipment. Developers should consider the noise emitted from National Grid's sites or overhead lines when planning any developments, particularly housing. Low-frequency hum from substations can, in some circumstances, be heard up to 1km or more from the site, so it is essential that developers find adequate solutions for this in their design. Further information about likely noise levels can be provided by National Grid.

Maintenance access

National Grid needs to have safe access for vehicles around its assets and work that restricts this will not be allowed.

In terms of our overhead lines, we wouldn't want to see any excavations made, or permanent structures built, that might affect the foundations of our towers. The size of the foundations around a tower base depends on the type of tower that is built there. If you wish to carry out works within 30m of the tower base, contact National Grid for more information. Our business has to maintain access routes to tower bases with land owners. For that reason, a route wide enough for an HGV must be permanently available. We may need to access our sites, towers, conductors and underground cables at short notice.

30m

If you wish to carry out work within this distance of the tower base, you must contact National Grid for more information

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previous page

Fires and firefighting

National Grid does not recommend that any type of flammable material is stored under overhead lines. Developers should be aware that in certain cases the local fire authority will not use water hoses to put out a fire if there are live, high-voltage conductors within 30m of the seat of the fire (*as outlined in ENA TS 43-8*).

In these situations, National Grid would have to be notified and reconfigure the system – to allow staff to switch out the overhead line – before any firefighting could take place. This could take several hours.

We recommend that any site which has a specific hazard relating to fire or flammable material should include National Grid's emergency contact details (found at the beginning and end of this document) in its fire plan information, so any incidents can be reported.

Developers should also make sure their insurance cover takes into account the challenge of putting out fires near our overhead lines.

Excavations, piling or tunnelling

You must inform National Grid of any works that have the potential to disturb the foundations of our substations or overhead line towers. This will have to be assessed by National Grid engineers before any work begins.

BS ISO 4866:2010 states that a minimum distance of 200m should be maintained when carrying out quarry blasting near our assets. However, this can be reduced with specific site surveys and changes to the maximum instantaneous charge (the amount of explosive detonated at a particular time).

All activities should observe guidance layed out in *BS 5228-2:2009*.

Microshocks

High-voltage overhead power lines produce an electric field. Any person or object inside this field that isn't earthed picks up an electrical charge. When two conducting objects – one that is grounded and one that isn't – touch, the charge can equalise and cause a small shock, known as a microshock. While they are not harmful, they can be disturbing for the person or animal that suffers the shock.

For these reasons, metal-framed and metal-clad buildings which are close to existing overhead lines should be earthed to minimise the risk of microshocks. Anything that isn't earthed, is conductive and sits close to the lines is likely to pick up a charge. Items such as deer fences, metal palisade fencing, chain-link fences and metal gates underneath overhead lines all need to be earthed.

For further information on microshocks please visit www.emfs.info.



200m

*The minimum distance that
should be maintained from
National Grid assets when
quarry blasting*



Specific development guidance

Wind farms

National Grid's policy towards wind farm development is closely connected to the *Electricity Networks Association Engineering Recommendation L44 Separation between Wind Turbines and Overhead Lines, Principles of Good Practice*. The advice is based on national guidelines and global research. It may be adjusted to suit specific local applications.

There are two main criteria in the document:

- (i) The turbine shall be far enough away to avoid the possibility of toppling onto the overhead line
- (ii) The turbine shall be far enough away to avoid damage to the overhead line from downward wake effects, also known as turbulence

The toppling distance is the minimum horizontal distance between the worst-case pivot point of the wind turbine and the conductors hanging in still air. It is the greater of:

- the tip height of the turbine plus 10%
- or, the tip height of the turbine plus the electrical safety distance that applies to the voltage of the overhead line.

To minimise the downward wake effect on an overhead line, the wind turbine should be three times the rotor distance away from the centre of the overhead line.

Wake effects can prematurely age conductors and fittings, significantly reducing the life of the asset. For that reason, careful consideration should be taken if a wind turbine needs to be sited within the above limits. Agreement from National Grid will be required.

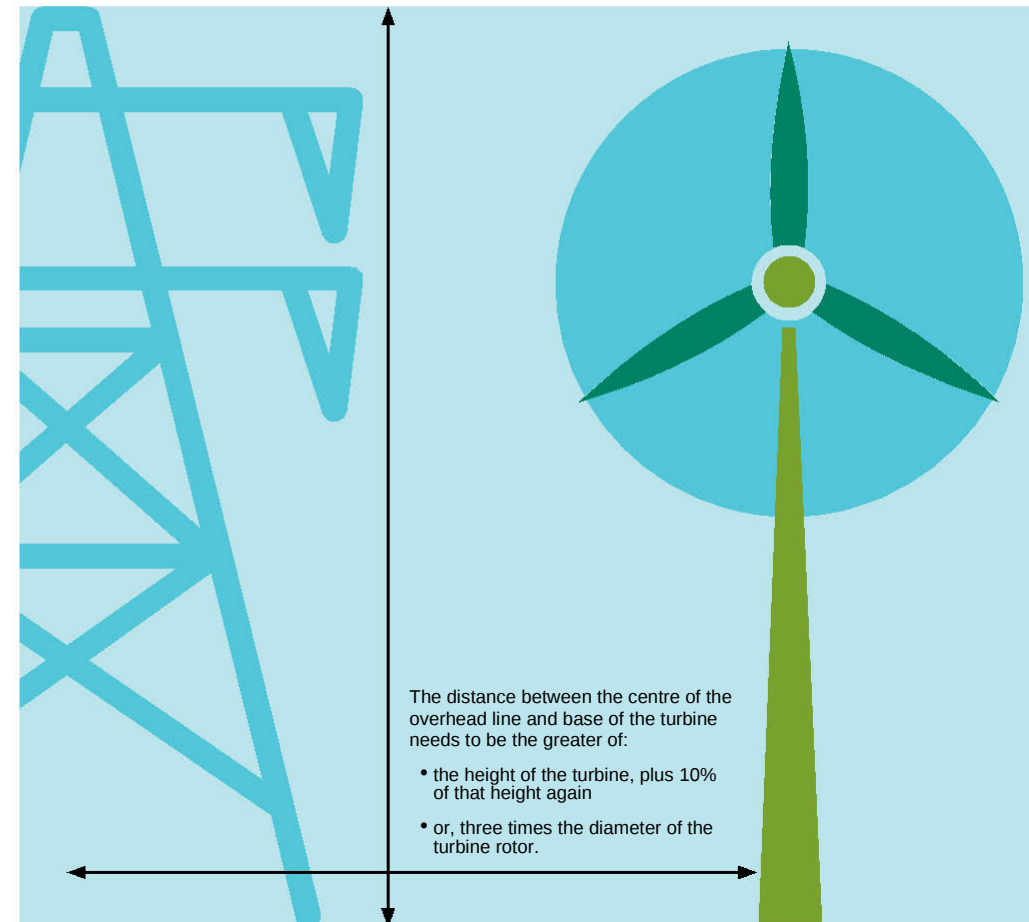
Commercial and housing developments

National Grid has developed a document called *Design guidelines for development near pylons and HVO power lines*, which gives advice to anyone involved in planning or designing large-scale developments that are crossed by, or close to, overhead lines.

The document focuses on existing 275kV and 400kV overhead lines on steel lattice towers, but can equally apply to 132kV and below. The document explains how to design large-scale developments close to high-voltage lines, while respecting clearances and the development's visual and environmental impact.

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Diagram not to scale



Turbines should be far enough away to avoid the possibility of toppling onto the overhead line



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The advice is intended for developers, designers, landowners, local authorities and communities, but is not limited to those organisations.

Overall, developers should be aware of all the hazards and issues relating to the electrical equipment that we have discussed when designing new housing.

As we explored earlier, National Grid's assets have the potential to create noise. This can be low frequency and tonal, which makes it quite noticeable. It is the responsibility of developers to take this into account during the design stage and find an appropriate solution.

Solar farms

While there is limited research and recommendations available, there are several key factors to consider when designing Solar Farms in the vicinity of Overhead Power Lines.

Developers may be looking to build on arable land close to National Grid's assets. In keeping with the safety clearance limits that we outlined earlier for solar panels directly underneath overhead line conductors, the highest point on the solar panels must be no more than 5.3m from the lowest conductors.

This means that the maximum height of any structure will need to be determined to make sure safety clearance limits aren't breached. This could be as low as 2m. National Grid will supply profile drawings to aid the planning of solar farms and determine the maximum height of panels and equipment.

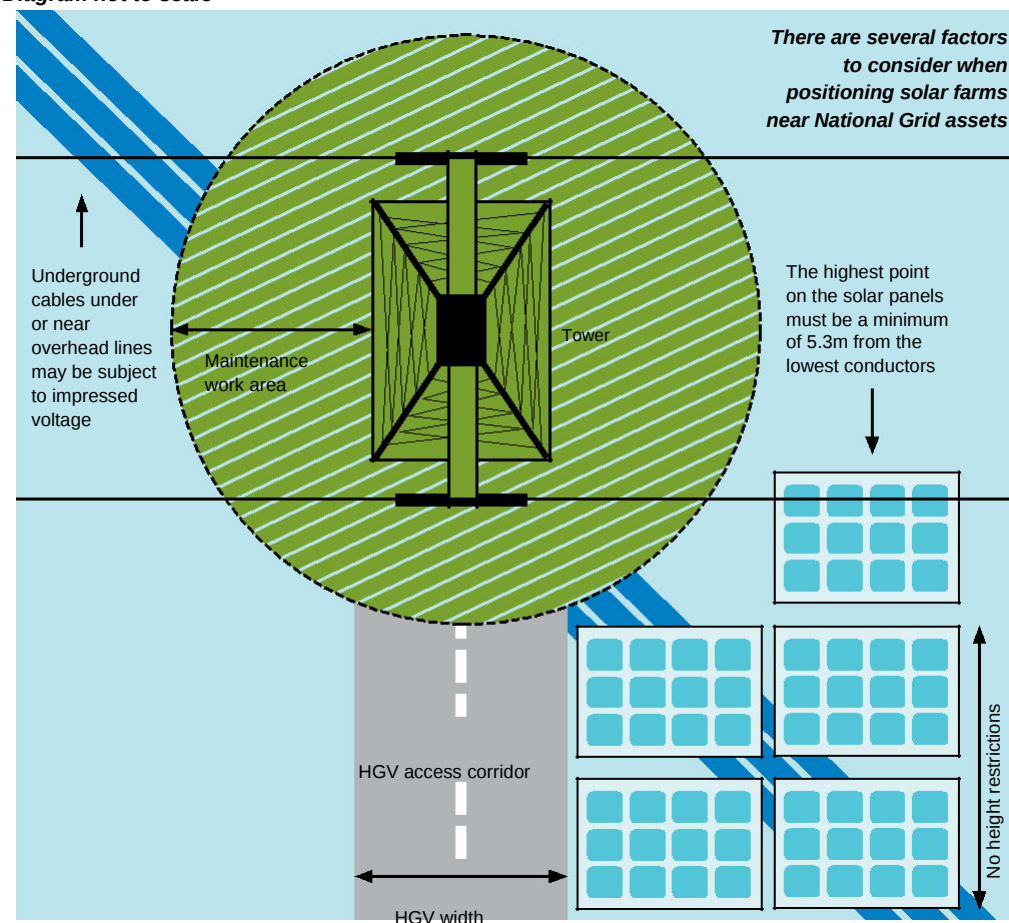
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

There is also a risk of damage during adverse weather conditions, such as lightning storms, and system faults. As all our towers are earthed, a weather event such as lightning can cause a rise in the earth potential around the base of a tower. Solar panel support structures and supply cables should be adequately earthed and bonded together to minimise the effects of this temporary rise in earth potential.

Any metallic fencing that is located under an overhead line will pick up an electrical charge. For this reason, it will need to be adequately earthed to minimise microshocks to the public.

For normal, routine maintenance and in an emergency National Grid requires unrestricted access to its assets. So if a tower is enclosed in a solar farm compound, we will need full access for our vehicles,

Diagram not to scale



Including access through any compound gates. During maintenance – and especially re-conductoring – National Grid would need enough space near our towers for winches and cable drums. If enough space is not available, we would require solar panels to be temporarily removed.



Asset protection agreements

In some cases, where there is a risk that development will impact on National Grid's assets, we will insist on an asset protection agreement being put in place. The cost of this will be the responsibility of the developer or third party.

Contact details

Emergency situations

If you spot a potential hazard on or near an overhead electricity line, do not approach it, even at ground level. Keep as far away as possible and follow the six steps below:

- Warn anyone close by to evacuate the area
- Call our 24-hour electricity emergency number: 0800 404 090 (Option 1)¹
- Give your name and contact phone number
- Explain the nature of the issue or hazard
- Give as much information as possible so we can identify the location – i.e. the name of the town or village, numbers of nearby roads, postcode and (ONLY if it can be observed without putting you or others in danger) the tower number of an adjacent pylon
- Await further contact from a National Grid engineer

¹ It is critically important that you don't use this phone number for any other purpose. If you need to contact National Grid for another reason please use our Contact Centre at www2.nationalgrid.com/contact-us to find the appropriate information or call 0800 0014282.

Routine enquiries

Email:
assetprotection@nationalgrid.com

Call Asset Protection on:
0800 0014282

Opening hours:
Monday to Friday 08:00-16:00

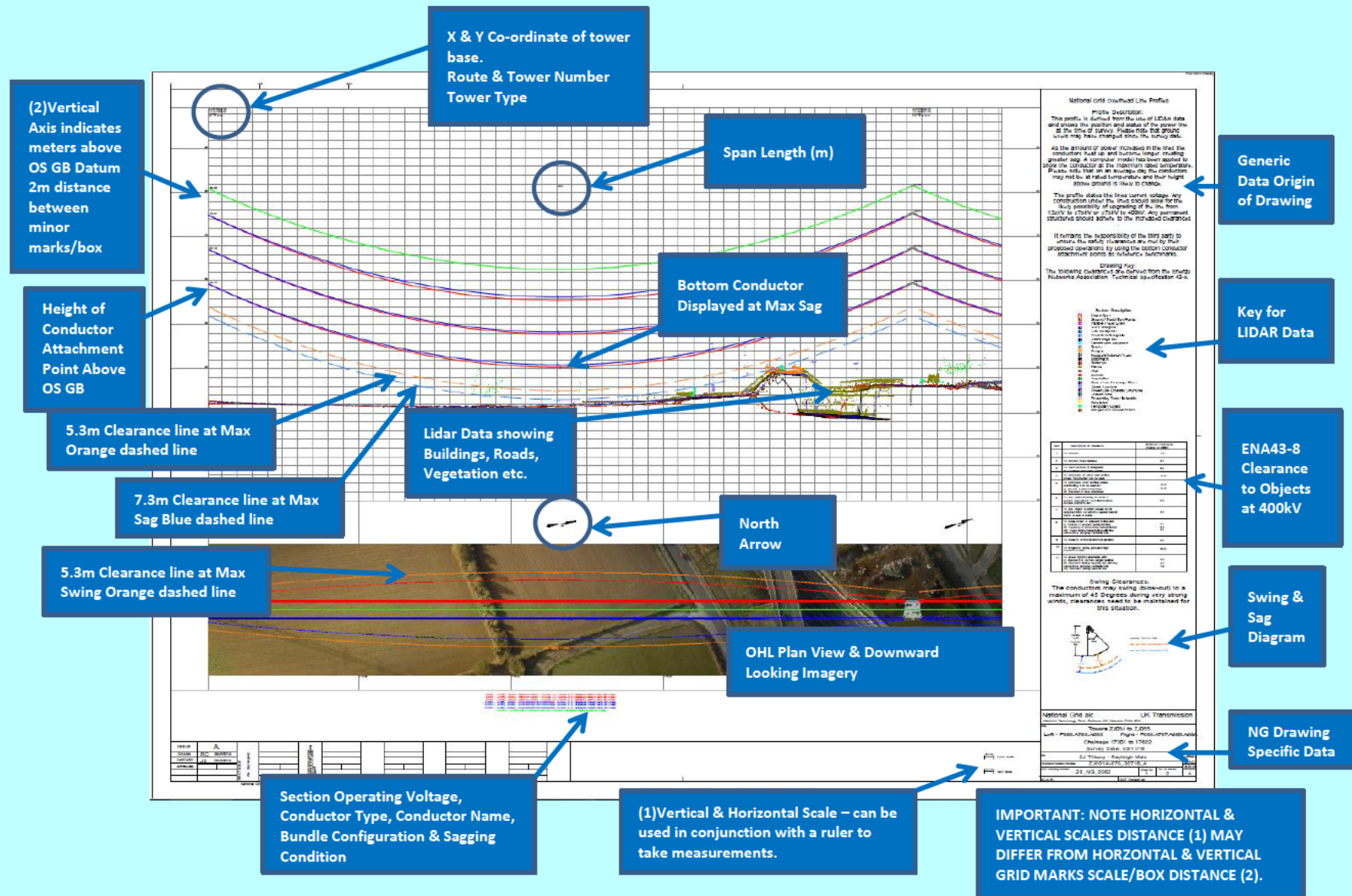
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14 APPENDIX A



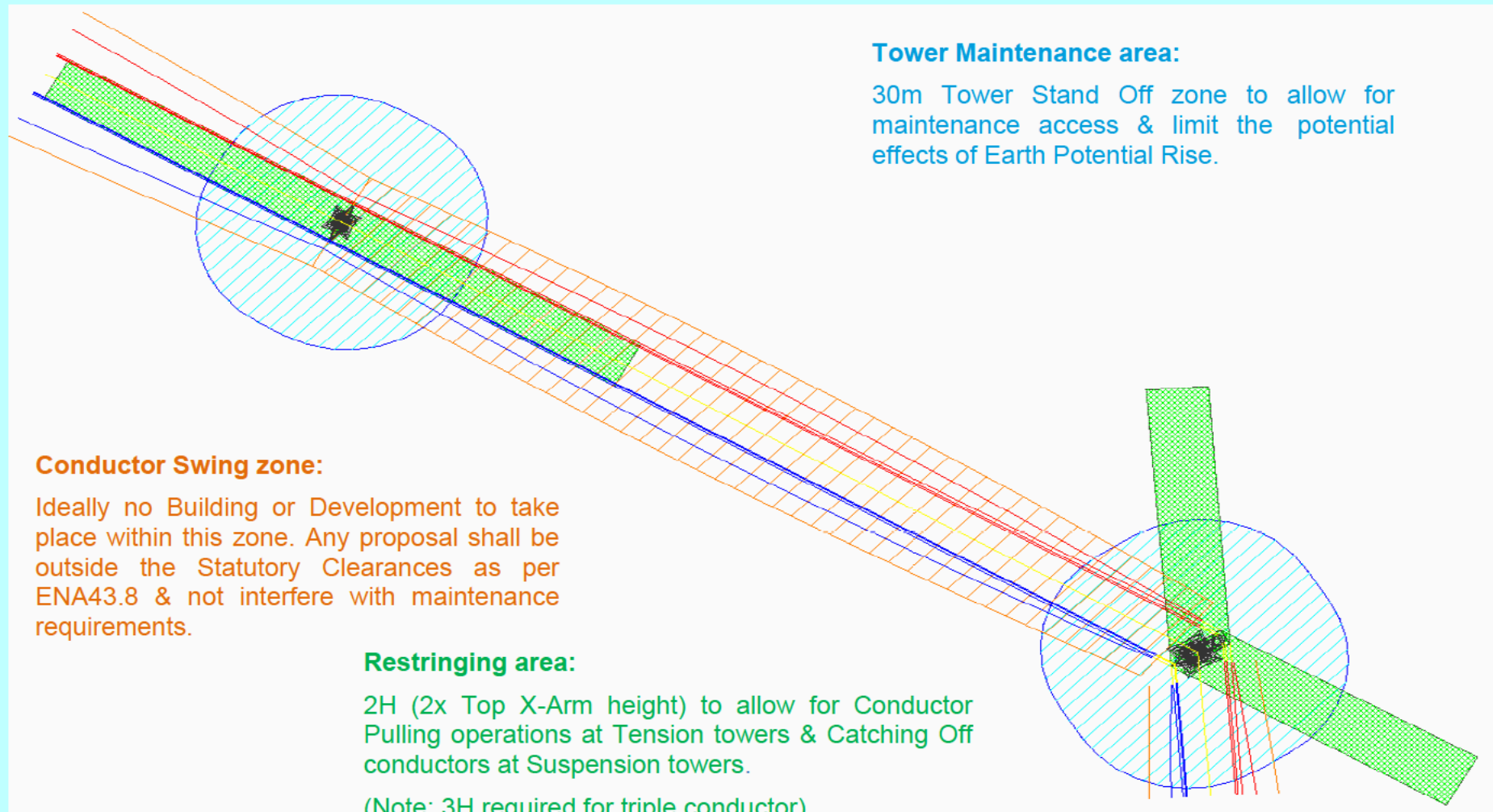
OHL Profile Drawing Guide



15 APPENDIX B



OHL Tower Stand Off & Reconductoring Area





Our ref: NE_KFSFA
Your ref: EN0110018

██████████
Planning and Development
National Highways
8 City Walk
Leeds
LS11 9AT

Direct Line: +44 (0) 0 ██████████

13 July 2026

FAO: CleanAirSolar@planninginspectorate.gov.uk

Dear Wing Sum,

Clean Air Solar Farm

Thank you for consulting National Highways ("NH") for our comments on the Environmental Impact Assessment (EIA) Scoping Report, relating to the proposed development of the Clean Air Solar Farm ("the Proposed Development").

The Project as set out within the Environmental Impact Assessment (EIA) Scoping Report comprises the construction, operation (and maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility across two separate parcels of land (the 'northern land parcel' and the 'southern land parcel') on approximately 1,154 hectares (ha) of land (the 'Site'), falling entirely within the administrative area of East Riding of Yorkshire Council. The northern parcel is approximately three miles north of the town of Beverley, to the east of the A164. Plans for this land were presented at a consultation in February 2025 as 'Kingfisher Solar Farm'. The southern parcel is located in close proximity to the grid connection point, southwest of the A1079.

The project includes solar PV arrays, two onsite substations, Battery Energy Storage System (BESS) units, Power Conversion Stations (PCS), environmental mitigation and enhancement areas, and associated grid connection infrastructure including a buried cable to the National Grid Creyke Beck Substation extension at Wanlass Beck (hereafter 'the Proposed Development'). The Proposed Development will provide up to 500 megawatts (MW) of electricity. It may also import surplus energy from the electricity grid when energy available to the grid exceeds demand.

It is noted from the map on the developer's website (<https://cleanairsolarfarm.co.uk/the-project/>) that the proposed development does not encroach onto the Strategic Road Network (SRN). However, the proposed development does create the need for this review to ensure that the proposed development does not materially impact upon the capacity, operation and safety of the SRN, in this case the A63, A1033 and the M62 are located some distance to the south, southeast and southwest of the sites respectively.

Environmental Impact Assessment (EIA) Scoping Report

This Statutory Consultation on the Environmental Impact Assessment (EIA) Scoping Report, submitted to the Planning Inspectorate on 30th June 2026, runs to 28 July 2026.

National Highways has reviewed the *Clean-Air-Solar-Farm–Indicative-masterplan-northern-land-parcel-June-2026* and the *Clean-Air-Solar-Farm–Indicative-masterplan-southern-land-parcel-June-2026*, and whilst these two masterplans for the proposed development sites does not appear to cross or encroach on to NH assets or the SRN we have identified that the southern parcel cable search area may interact with land showing as registered to National Highways. This is land bought as part of a road construction programme which may have since been vested across to East Riding as part of a de-trunking order and the records are not yet aligned. Nonetheless we would request that the applicant provides National Highways with the GIS shape files, including data set information, for the southern parcel in the general area of A1079 and A1035 to enable us to rule these in or out of our interest/ownership. If interactions do arise, we will require legal Protective Provisions relating to these land parcels and any other interactions that arise.

Construction Phase

Construction Programme

The EIA Scoping Report sets out that it is currently anticipated that the construction phase will take place over a period of two to three years, with connection anticipated in 2033.

Construction Compounds (Temporary)

It is advised within the EIA Scoping Report that there will be the requirement for main construction compounds and satellite construction compounds to facilitate the construction of the Proposed Development. The precise dimensions and location of compounds will be determined at a later design stage; however, it is anticipated by the applicant that the maximum extent of the construction compounds is 450m by 250m. Stored equipment and material will be a maximum of 3.5m above ground level.

The location of the temporary construction site compounds, which will consider technical and environmental aspects, as well as feedback from consultation and engagement, will be provided as part of the DCO application information. Indicative locations will be provided as part of Statutory Consultation.

Construction Traffic and Site Access

The applicant sets out within the EIA Scoping Report that based on the preliminary construction material and equipment requirements, it is anticipated that there could be up to 80 Heavy Goods Vehicle movements and 130 Light Goods Vehicle movements per day during the peak construction period. This number is indicative, excludes construction staff transportation and ancillary construction traffic, and is subject to refinement. A reasonable worst-case scenario will be presented and assessed in the ES.

In addition, it is advised that where large scale High Voltage (HV) component loads are required for the electrical grid connection, these will be delivered as Abnormal Indivisible

Loads (AIL). In accordance with policy guidance and National Policy, the delivery of AIL will consider alternative transport modes to road, such as via water.

Construction Hours

The EIA Scoping Report has not advised on when construction activities would be carried out but based on typical construction working hours, we would anticipate that these would be similar to 07:00 to 18:00 Monday to Friday and 08:00 to 13:30 on Saturdays with no working being permitted on Sundays or Public Holidays. National Highways request that the applicant advises on proposed construction working hours.

National Highways also anticipates that if out of necessity some activities may be required outside of the core working hours (such as the delivery of abnormal loads, concrete pours for foundations, night-time working for cable construction works in public highways and HDD activities). National Highways requests that where possible; construction deliveries will be coordinated to avoid HGV movements during the traditional AM peak hour (08:00-09:00) and PM peak hour (17:00-18:00).

National Highways advises that as construction workers typically travel outside of the peak hours and as the site is in a rural location away from the SRN trips generated by construction workers will, based on the information currently provided, be distributed with minimal impact across the SRN and LRN.

Construction workforce

The EIA Scoping report has not provided any information on the predicted quantum of construction workers during the construction phase and due to this National Highways requests that this information is provided. This will enable us to understand the likely quantum of construction worker trips accessing the site and the likely impact on the SRN.

Construction Environmental Management Plans (CEMP)

National Highways notes from the EIA Scoping Report that an outline Construction Environmental Management Plan (oCEMP) will accompany the DCO application and will detail the legislation, guidance, best practice and mitigation measures to control and minimise environmental effects during construction. This includes reducing nuisance from noise, vibration, dust, particulate generation, runoff or contamination from contaminated soils (should there be any) on surface water or groundwater, soil removal and waste.

Construction Traffic Management Plan (CTMP)

The EIA Scoping Report advises an outline Construction Traffic Management Plan (oCTMP) will accompany the DCO application which will include details on construction logistics and worker travel plans. Measures to control the delivery of materials, plant and equipment will also be included within the oCTMP, alongside further detail on the routing and vehicle movements during the construction stage.

These management plans will be secured via requirements of the DCO.

National Highways advise that based on our experience of solar farm schemes the construction phase usually has the greatest quantum of vehicle movements. Generally, once these are distributed across the network at the time they are likely to occur they would normally be expected to have minimal impact on the SRN. However, we request that we continue to be consulted on this application as it progresses especially with regard

to any Abnormal Indivisible Loads using our network, for which the applicant will require our agreement and advice in using the SRN for these movements.

To ensure that the interests of the SRN are safeguarded, NH will seek an approval right in respect of the relevant DCO requirement which secures the CTMP. We recommend that the Applicant drafts the relevant DCO requirement to include NH as an approving highway authority with respect to matters concerning the SRN at the point of application submission to avoid the applicant incurring costs in defending against NH's stated position in examination and to ensure the appropriate highway authority has the benefit of the relevant approval right.

It should be noted that any abnormal loads would need to be approved via Electronic Service Delivery for Abnormal Loads (EDSAL) - <https://nationalhighways.co.uk/road-safety/abnormal-loads-and-the-esdal-system>.

Operational Phase

We understand from the EIA Scoping report that once the Project becomes operational, anticipated 2033, it is expected to have an operational life of up to 60 years. During the operation and maintenance phase of the Project, on-Site activities would be limited in extent and will include routine servicing, maintenance and replacement of plant and equipment. From other Solar Farms that we have reviewed we understand that typically solar farm components are anticipated to have the following lifespans:

- Solar Panels – 25 to 40 years; and
- Batteries – 15 to 20 years.

It is therefore estimated that the Solar Panels could require replacement once, and the batteries up to four times, during the life span of the Scheme. The effects of maintenance and replacement activities are anticipated to be lesser than the construction phase due to the Solar Panel Mounting Structures, On-site Cables, On-site Substation and other infrastructure already being in situ and not needing replacement. These activities would be controlled and managed through appropriate management plans and secured through the requirements of the DCO.

It is set out within the EIA Scoping Report that based on the operation activity of the Proposed Development, there are anticipated to be 4 daily two-way trips (2 arrivals + 2 departures) from the Site Boundary. Mainly made up of staff / maintenance trips.

It is noted from the EIA Scoping report that HGV movements will be required to replace on-site equipment and that the ES will include further details of the maintenance and replacement activities with appropriate controls developed as part of the EIA process.

Based on the above and National Highways experience we expect vehicle movements during the operational phase to be minimal and have no material impact on the SRN. In addition, we request that the applicant confirms that the SRN will not be impacted by gling and glare from the solar panels and their frames.

Decommissioning Phase

At the end of its operational life, it is advised that the Project would be decommissioned, and although the EIA Scoping Report does not set out how long this would take from

other solar farm projects the decommissioning phase would typically be expected to take 12-24 months. We request that the applicant advises on this.

The applicant will provide an outline Decommissioning Environmental Management Plan (oDEMP) to accompany the DCO application which will set out the principal decommissioning activities and the measures that will be implemented, so far as is practical, to ensure the works do not adversely impact amenity, traffic or the environment in the surrounding area. This is normally carried forward to a detailed DEMP implemented during the Scheme decommissioning and secured via a requirement of the DCO.

Based on the above National Highways advises that vehicle movements during the decommissioning phase are usually less than the construction phase and therefore would normally have no material impact on the SRN. However, we welcome any forecasts of vehicle movements that the applicant can provide.

Protective Provisions

We advise that NH is a statutory undertaker and will require the Applicant to agree to its standard form protective provisions to safeguard the interests of the SRN and to ensure the protection of the public that use it.

We recommend that the Applicant's appointed legal advisors contact our legal team LegalServicesInbox@nationalhighways.co.uk at the earliest possible opportunity to agree the provisions which will be included in the draft DCO at the point of submission of your application.

Please also note that pursuant to section 54A of the Planning Act 2008 and Regulation 12A of and Schedule 2 to the Infrastructure Planning (Fees) Regulations 2010 (as amended), NH is a prescribed public authority entitled to the recovery of its reasonable fees associated with any relevant service. These services cover all stages of the DCO process including pre-application consultation. The charging policy which NH applies can be found on our website - <https://nationalhighways.co.uk/our-roads/planning-and-the-strategic-road-network-in-england> .

National Highways welcomes further engagement with the applicant to discuss the DCO Application and its impacts on the SRN as the DCO progresses. Please note that these comments are provided on the basis of the information currently available to us and are made without prejudice to future advice and/or recommendations.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

Planning and Development

[Redacted Email] [@nationalhighways.co.uk](mailto:[Redacted Email]@nationalhighways.co.uk)

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 06 July 2026 12:00
To: Clean Air Solar Farm <CleanAirSolar@planninginspectorate.gov.uk>
Subject: RE: EN0110018 Clean Air Solar Farm - EIA Scoping and Consultation and Regulation 11 Notification [SG41796]

Our Ref: SG41796

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



NATS Internal

Date: 28 July 2026
Our ref: 553116
Your ref: EN0110018



Environmental Services,
Infrastructure Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

CleanAirSolar@planninginspectorate.gov.uk

BY EMAIL ONLY

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T 0300 060 900

Dear Wing Sum To

Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: Clean Air Solar Farm

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 30 June 2026.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO).

We have reviewed the EIA Scoping Report and have provided comments on the areas relevant to our remit based on this information. Our detailed comments are provided in Annex A to this letter.

For further advice on this consultation please contact consultations@naturalengland.org.uk.

Yours sincerely,

A black rectangular box redacting the signature of the official.

Sustainable Development

Yorkshire and Northern Lincolnshire Area Team

Annex A – Natural England’s Advice on EIA Scoping

1. General principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided¹.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

2. Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under

¹ National Infrastructure Planning [Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements](#) (see Insert 2 – information to be provided with a scoping request)

- consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The Planning Inspectorate uses a four staged approach to Cumulative Effects Assessment (CEA) with the applicant required to fill in templates [4 Stage CEA Process](#).

Natural England has not undertaken a comprehensive review of all plans and projects that may need to be considered; however, we advise that the assessment should consider Dogger Bank D Wind Farm (NSIP ref: EN010144), Hornsea Project Four Offshore Wind Farm (NSIP ref: EN010098), Peartree Hill Solar Farm (NSIP ref: EN010157) and North Humber to High Marnham (NSIP ref: EN020034) which are located in close proximity to parts of the Scheme.

3. Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk. This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

4. Biodiversity and geodiversity

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) and an [EclA checklist](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

1. International and European sites

Natural England agrees with the study area used to identify Internationally designated sites for this project.

The development site is within or may impact on the following **European/internationally designated nature conservation site(s)**:

- Humber Estuary SPA
- Humber Estuary SAC
- Humber Estuary Ramsar
- Hornsea Mere SPA

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA. It should be clearly stated which internationally designated sites are scoped in.

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

Natural England's Impact Risk Zones incorporate internationally designated sites and features and can be used to help identify the potential for the development to impact on a European Site. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

You can access this information through [NE Maps](#).

Table 1: Potential risk to International designated sites: the development is within or may impact on the following European/Internationally designated site(s)	
Site name with link to conservation objective	Potential impact pathways where further information/assessment is required
Humber Estuary Special Protection Area (SPA) Humber Estuary Ramsar Humber Estuary Special Area of Conservation (SAC) Humber Estuary Ramsar	<u>Potential Impacts to Functionally Linked Land (FLL)</u> The project's order limits cover a significant area in proximity to Humber Estuary SPA and Ramsar sites. The ES/HRA should therefore consider both direct and indirect impacts to SPA species within the designated site boundary, and SPA species utilising areas outside of the site boundary which are functionally linked to the Humber Estuary SPA/Ramsar. The Proposed Development has potential to result in both temporary and permanent loss of habitats identified as FLL supporting qualifying SPA bird species. This includes permanent loss, and temporary loss associated with all construction activities across the Order Limits. Natural England advise that it will be important to present a project-wide assessment for impacts to functionally linked land. This should consider the potential for cumulative habitat losses (including areas supporting below 1% of the estuary population - see Annex B attached) alongside changes in habitat suitability and food availability, and disturbance effects. The assessment of changes to habitat suitability should include potential impacts of introducing

Table 1: Potential risk to International designated sites: the development is within or may impact on the following European/Internationally designated site(s)

Site name with link to conservation objective	Potential impact pathways where further information/assessment is required
	additional drainage on areas of FLL, leading to drying and potential reduced usage by SPA birds. Disturbance effects on FLL should be assessed, including those arising from construction, operation, and decommissioning activities (e.g. noise, vibration, artificial lighting, and disruption of open vistas), which may lead to displacement or reduced use of these areas by SPA bird species. Operational effects, particularly from lighting, visual disturbance and noise, should also be assessed. The in-combination assessment should consider whether combined 'temporary' losses of FLL from different projects over overlapping/consecutive construction periods may lead to longer-term losses of FLL. Based on the information provided to date, Natural England considers it likely that suitable habitat creation/ management/ protection for SPA bird species will be required. It will need to be clearly demonstrated that the mitigation areas will be able to support the species impacted by the development. All mitigation areas should be adequately secured, managed and monitored. Natural England advises an ecological mitigation plan should be secured and include the following: • Clear objectives • Target/s for each objective, including SPA bird use targets and habitat targets • Details of limits of acceptable change • Details of required management and monitoring (including who is responsible and when it will take place) Details of remedial actions, where appropriate. Bird survey methodology The detailed bird survey results should be presented in full, with clear acknowledgement of any methodological limitations or gaps. We recommend that all survey data are collated into a single, coherent evidence base and presented spatially across the full DCO boundary, supported by mapping, to enable a comprehensive understanding of bird distribution and habitat use. We welcome the commitment to further breeding and wintering bird surveys in table 6 – 9, we advise these undertaken in line with guidance set out in Annex C. Natural England will provide further advice when the full bird survey results are available. <u>Potential water quality impacts</u> The ES should assess instances wherein the proposed development site is hydrologically connected to the Humber Estuary

Table 1: Potential risk to International designated sites: the development is within or may impact on the following European/Internationally designated site(s)	
Site name with link to conservation objective	Potential impact pathways where further information/assessment is required
	SAC, and consider possible impacts including, but not limited to; hydrological changes, pollution events, and sedimentation. <u>Potential air quality impacts</u> See section 12 below for further information on air quality impacts to designated sites with 200m of the proposed development site.
Hornsea Mere SPA	<u>Potential Impacts to Functionally Linked Land (FLL)</u> The project's order limits cover a significant area in proximity to Hornsea Mere SPA. The ES/HRA should therefore consider both direct and indirect impacts to SPA species utilising areas outside of the site boundary which are functionally linked to Hornsea Mere SPA. We welcome the commitment to further breeding and wintering bird surveys in table 6 – 9, we advise these undertaken in line with best practice guidance. Natural England will provide further advice when the full bird survey results are available.

2. Nationally designated sites

Sites of Special Scientific Interest

Sites of Special Scientific Interest (SSSIs) are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The development site is within or may impact on the following Site of Special Scientific Interest:

- Tophill Low SSSI
- Bryan Mills Field SSSI
- Pulfin Bog SSSI
- Burton Bushes SSSI
- The Humber Estuary SSSI

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within the listed SSSIs and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. It should be clearly stated which SSSIs are scoped in.

Table 2: Potential risks to nationally designated sites: the development is within or may impact on the following sites	
Site name with link to citation	Potential impact pathways where further information/assessment is required
Tophill Low SSSI	<u>Potential water quality impacts</u> We advise that the site is hydrologically connected to the proposed boundary of the development. During construction the potential pollution which may be produced should be considered and mitigation proposed if required i.e. through a CEMP. During operation the water pollution effects from panel washing and chemical pollution e.g. due to fire suppression equipment, should also be considered and mitigation proposed if required. <u>Potential impacts to SSSI qualifying species</u> The ES should consider direct and indirect impacts to SSSI qualifying species associated with Tophill Low SSSI These impacts may include: • Habitat loss • Loss of habitat connectivity • Habitat damage • Visual and noise disturbance • Water quality impacts
Bryan Mills Field SSSI	<u>Direct impacts</u> We note that Bryan Mills Field SSSI lies within the area of search for the cable route. The ES should therefore assess the potential for both direct, and indirect impacts to the SSSIs, including habitat loss/damage and pollution impacts during construction. Appropriate mitigation for impacts should be considered, this may include use of a Construction Environmental Management Plan. We note that horizontal directional drilling is proposed to avoid potential impacts to sensitive habitats, this should include Bryan Mills Field SSSI if necessary. We advise that the required standoff distance for the HDD pits will depend on local geology and adjacent habitats. Therefore, ground investigation and habitat surveys should be completed to determine the appropriate standoff distance in the proposed location/s. The ES should assess potential for direct and indirect impacts of HDD on the designated site including potential noise, and any water quality/dust impacts which may occur during construction. <u>Potential impacts from changes in air quality</u> See section 12 below for further information on air quality impacts to designated sites with 200 m of the proposed development site.

Table 2: Potential risks to nationally designated sites: the development is within or may impact on the following sites	
Site name with link to citation	Potential impact pathways where further information/assessment is required
Pulfin Bog SSSI	<u>Potential water quality impacts</u> We advise that the site is hydrologically connected to the proposed boundary of the development. During construction the potential pollution which may be produced should be considered and mitigation proposed if required i.e. through a CEMP. During operation the water pollution effects from panel washing and chemical pollution e.g. due to fire suppression equipment, should also be considered and mitigation proposed if required.
Burton Bushes SSSI	<u>Potential direct and/ or indirect impacts to designated sites</u> Construction close to the boundary of the SSSI could lead to damage to habitats due to pollution. Appropriate mitigation for impacts should be considered, this may include use of a Construction Environmental Management Plan. <u>Potential impacts from changes in air quality</u> See section 12 below for further information on air quality impacts to designated sites with 200 m of the proposed development site.
Humber Estuary SSSI	We note the Humber Estuary SSSI was not included in the scoping report and advise that it is included in future assessments. Our advice regarding Humber Estuary SSSI broadly coincides with those set out in section 5 for the corresponding European sites, Humber Estuary SPA/SAC/Ramsar. However, we highlight that Humber Estuary SSSI is designated for additional features. Therefore, potential impacts on these features should also be considered in the relevant assessment and appropriate justification provided where impacts are ruled out.

5. Protected species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using Natural England guidance on licensing [Natural England wildlife licences](#). Applicants can also make use of Natural England's charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure](#)

[Planning](#) for details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required. Natural England notes, and welcomes, that the applicant has committed to undertaking ecological surveys in accordance with current good practice guidance, including CIEEM (2017).

6. District Level Licensing for great crested newts

Where strategic approaches such as DLL for GCN are used, a Letter of No Impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).

By demonstrating that the [DLL scheme for GCN](#) will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

7. Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland and ancient and veteran trees are irreplaceable habitats of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Natural England maintains the [Ancient Woodland Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

8. Biodiversity net gain

We welcome the commitment to delivering Biodiversity Net Gain (BNG) on this project. BNG will become mandatory for NSIPs in November 2026. The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. The new Biodiversity Gain Statement sets out how energy NSIPs must calculate, deliver and report on BNG². Further upcoming guidance on delivering BNG for NSIPs should also be adhered to.

² [NSIPs: biodiversity gain statement for energy - GOV.UK](#)

Early engagement with Natural England on BNG proposals will help maximise outcomes and reduce risks. It would also be beneficial to align BNG provision with the features of the designated site and the aims of the LNRS, and we advise consultation with the relevant LPAs on this matter should be considered.

9. Landscape

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by LI and IEMA. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

10. Connecting people with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal

margin in the vicinity of the development, in line with National Policy Statement EN-1. NPS EN-1 paragraph 5.11.30 states:

‘Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way’.

The ES should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species. The linear nature of the project may offer opportunities to connect the landscape for people and nature.

11. Soils and agricultural land quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan. All types of development should avoid BMV land as far as reasonably practicable.

- Where BMV land cannot be avoided, clear consideration of alternatives should be presented with rationale provided for the use of BMV land for the development. In addition, micro-siting of the most damaging infrastructure away from BMV should be undertaken following the ALC survey.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Natural England welcomes that a detailed ALC survey will be undertaken. The ALC survey must:

- be carried out in accordance with the Agricultural Land Classification in England and Wales. Revised guidelines and criteria for grading the quality of agricultural land
- be carried out at a detailed level, e.g. one auger boring per hectare, supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres, unless otherwise agreed with NE. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- be carried out by a soil specialist with suitable credentials, such as member of Institute Professional Soil Scientists (M I Soil Sci).

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

12. Air quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Natural England have produced air quality standard guidance for Nationally Significant Infrastructure Projects (Annex D attached). It outlines the main air pollutants and gives standardised advice on how to assess significance of impacts to designated sites. As this Project includes novel technology, we may also review the assessments and provide bespoke advice. We would be happy to work with the Applicant on this through pre-application engagement.

Information on air pollution modelling, screening and assessment can be found on the

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development
<https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions
<https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

13. Water quality

NSIPs can occur in areas where strategic solutions are being determined for water pollution issues and they may not have been factored into the local planning system as they are delivered through National Policy Statements.

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

14. Climate change

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 174), which should be demonstrated through the ES.

15. LNRS

To ensure that all opportunities for nature recovery are taken account of in design and assessment of an NSIP, it is recommended that the relevant Local Nature Recovery Strategy (LNRS) is considered at the earliest opportunity.

Details of the Hull and East Riding LNRS can be found here: [Hull and East Yorkshire Local Nature Recovery Strategy - Hull and East Yorkshire Local Nature Partnership](#).

The LNRS and its associated Local Habitat Map can provide clear guidance on locally agreed Priorities and associated Measures (sometimes called Actions) for nature recovery. Natural England recommends that NSIP schemes review the LNRS mapping for the site area taking account of relevant mapped measures for the site. These mapped measures were informed by local expertise and provide a clear steer on the most appropriate activity for that location in terms of nature recovery, nature based solutions

and wider access to nature opportunities. This can save time and effort in identifying nature recovery and nature based solutions which are appropriate for a site.

Unmapped habitat and species measures in an LNRS are applicable wherever they are relevant to the location being considered. All types of measures offer insight into locally agreed activities on nature recovery for that area supported by Local Nature Partnerships and other stakeholders. This can help to ensure design that is acceptable to local stakeholders and address environmental considerations.

16. Green Infrastructure

Green Infrastructure (GI) is defined in the National Planning Policy Framework (NPPF) as *“a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.”*

NSIPs play a role in delivering GI to enable more sustainable development, climate resilience, and nature recovery. Natural England highlights that the Overarching NPS for Energy (EN1) states:

“4.6.13 In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as:

- *reductions in GHG emissions*
- *reduced flood risk*
- *improvements to air or water quality,*
- *climate adaptation,*
- *landscape enhancement*
- *increased access to natural greenspace, or*
- *the enhancement, expansion or provision of trees and woodlands.*

*The scope of potential gains will be dependent on the type, scale, and location of specific projects. **Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.**”*

Natural England therefore encourages the incorporation of GI into NSIPs.

GI refers to natural and semi-natural features and networks, such as parks, woodlands, and wetlands, that provide a range of benefits including flood protection, air quality improvement, and biodiversity enhancement.

GI should:

- create and maintain green liveable places that enable people to experience and connect with nature
- enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Natural England has developed the [Green Infrastructure Framework](#) – a national standard to guide the planning, design, and maintenance of green infrastructure in England. This framework provides guidance for integrating natural elements into major developments.

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI), we refer you to [Green Infrastructure Home](#). This includes:

- The [Principles](#) that underpin the Green Infrastructure Framework, which set out what good green infrastructure is, why it's important and how to do it well.
- The [Standards](#), which define what good green infrastructure 'looks like' for local planners, developers, parks and greenspace managers and communities, and how to plan it strategically to deliver multiple benefits for people and nature.
- The [Green Infrastructure Planning and Design Guide](#), which provides guidance for developers on how well-designed GI can integrate with built design to create good quality, distinctive and sustainable places.
- [Mapping Database](#) with analysis of existing provision, including mapped representation of the areas thought to meet the size and proximity criteria.
- The [Environmental Benefits from Nature Tool](#) highlights wider benefits and comparison of options.

We recommend a bespoke approach to identifying the most suitable types, locations and scale of GI needed to support growth, alongside health and wellbeing, biodiversity and climate resilience in the context of each proposal. Consideration should be given to the relevant Local Nature Recovery Strategy/ies (LNRS).

Natural England recommends that NSIPs should include a GI plan, including a long-term delivery and management plan. Relevant aspects of local authority GI strategies and Local Nature Recovery Strategies (LNRS) should be integrated and delivered where appropriate.

Annex B

Applying the 1% 'rule of thumb' on the Humber Estuary – summary of Natural England's current approach (November 2025)

Loss of functionally linked land

Natural England recognises that 1% of the Humber Estuary population (based on the most recent WeBS 5-year average count) has historically been used as a 'threshold' to determine likely significant effects from loss of functionally linked land (FLL).

However, this approach was intended to provide a 'rule of thumb' for assessments and does not take into account other factors such as regularity of usage, species diversity, SPA conservation objectives, Estuary-level population declines, and existing pressures on relevant species. Due to these limitations, Natural England does not consider that using 1% 'rule of thumb' alone is suitably precautionary to define important areas of FLL around the Humber Estuary SPA.

Assessment of likely significant effect

We advise that the assessment of likely significant effect should be based on site characteristics of the proposed development site and suitability for SPA birds, including proximity to the Humber Estuary SPA, habitat suitability, and size of the site, in addition to local ecological knowledge and previous bird records.

If it is concluded that the proposal could have a likely significant effect, Natural England advises that non-breeding bird surveys should be carried out in line with Annex C (available on request from Natural England).

If the proposal is identified as not likely to have a significant effect on SPA birds 'alone' due to loss of FLL, then other projects in the area should be considered 'in combination'.

Appropriate assessment

Bird survey data should be assessed at the appropriate assessment stage. Natural England advises that any area of supporting habitat used by SPA birds is, by definition, FLL. The appropriate assessment should evaluate the importance of the site for SPA species and determine whether mitigation is required.

We advise that the following factors should be considered in the assessment:

- Number of birds recorded on the development site (peak count) compared to the 5-year mean of the WeBS data for the Humber Estuary. Sites which support over 1% of the estuary population are likely to provide important FLL and require mitigation.
- Diversity of species recorded using the site: sites which support more than one SPA species in numbers below 1% (for each species) may provide important FLL.
- Frequency of usage: sites which regularly support SPA species in numbers below 1% may provide important FLL.
- Population trends and declines for relevant species. Declining species may be more

vulnerable to loss of FLL, due to existing pressures. It may be helpful to refer to:

- Trends in the Humber population of species (based on WeBS counts and trends since designation etc). The most recent BTO WeBS analysis report for the Humber is: [Analysis of Wetland Bird Survey \(WeBS\) data for The Humber Estuary SSSI, SAC, SPA and Ramsar site: fourth appraisal — sector-level trends to winter 2021/22 | BTO](#).
- Wider UK declines in relevant species. See [WeBS Official Statistics | JNCC - Adviser to Government on Nature Conservation](#) and [Wetland Bird Survey Annual Report | BTO](#).
- [BTO WeBS alerts](#), which details High (red) and Medium (Amber) Alerts for relevant species. The report also indicates where comparison of site trends with regional trends suggests that the declines underpinning Alerts status may be driven or exacerbated by site-specific pressures. Note that the Alerts only include individually qualifying features, so it is not possible to apply this for all species.
- Current condition of SSSI bird features (which underpin the SPA): [Site feature condition \(naturalengland.org.uk\)](#).
- Supplementary Advice for Humber Estuary SPA: [Designated Sites View \(naturalengland.org.uk\)](#) to identify whether existing pressures have been identified for relevant species and if targets for supporting habitat are set to 'restore' or 'maintain'. For example, the target for golden plover supporting habitat is to 'Restore the extent, distribution and availability of suitable habitat (either within or outside the site boundary) which supports the feature for all necessary stages of the non-breeding/wintering period.' Therefore, loss of FLL may make reaching this target more difficult.
- Availability of other areas of FLL in proximity to the development. A site may be more likely to provide important FLL where availability of alternative supporting habitat is more limited, even if recorded numbers are lower than 1% of the estuary population. However, good availability of alternative FLL does not automatically mean there is no adverse effect, especially if the site supports high numbers of SPA birds or other key factors apply. In such cases, the decision should be based on the combination of factors outlined in this list, rather than relying solely on habitat availability.
- In-combination effects – if there is more than one development proposed in the area which will lead to loss of FLL an 'in combination' assessment should be carried out. Mitigation may be required for developments in-combination where SPA birds are using multiple sites that are proposed for development.

In terms of assessing the potential impact on species from the proposed development, Natural England has not defined an alternative 'threshold' for the peak count and/or regularity of species recorded. We advise that professional judgement should be used, informed by the survey data and other available information (such as the sources referred to above) to assess the ecological importance of the site.

Loss of SPA habitat within the designated site boundary

In relation to loss of SPA supporting habitat within the designated site boundary, Natural England advises that it is not appropriate to apply a 'threshold' of bird numbers to rule

out likely significant effects. SPA birds are highly mobile and will use different parts of the estuary at different times of year.

Natural England advises that if a plan/project involves permanent habitat loss, then there is a credible risk that the plan or project might undermine the conservation objectives of a European site, i.e. likely significant effects cannot be ruled out, and the habitat loss should be assessed further in an appropriate assessment.

Natural England will normally advise that a lasting and irreparable loss of European Site habitat will prevent a conclusion of no adverse effect on site integrity being reached unless an appropriate assessment can clearly ascertain otherwise.

Please contact Natural England via the Discretionary Advice Service (DAS) if a proposal may involve loss of SPA habitat.

Noise/visual disturbance

New development can result in impacts to SPA birds from noise and/or visual disturbance. Both the construction and operational periods should be considered in the assessment.

The screening assessment for potential construction and operational noise and visual disturbance effects on birds from new proposals should first consider whether the resulting disturbance could impact birds. This should be based on:

1. Type of activity and whether there is an associated increase in noise or visual disturbance levels, including the introduction of additional lighting.
2. Timing of the activity likely to cause disturbance (time of day/night, season, state of tide where relevant).
3. Duration of the activity which is likely to cause disturbance.
4. Proximity to areas used by SPA birds, both within the designated site boundary and/or within functionally linked land.

Where it is not clear that the proposed development will not lead to significant disturbance impacts to Humber Estuary birds, a more detailed assessment should be carried out in the appropriate assessment.

The appropriate assessment should consider:

1. Predicted noise levels (including detailed noise assessments, where relevant).
2. The existing noise levels and other sources of acoustic and visual disturbance at the site. Prediction of the baseline may incorporate data from other relevant projects in the area, alongside any relevant sources of information around standard industrial noise levels.
3. The type of potential effect (masking of acoustic signals by road noise, adverse behavioural changes such as disturbance to feeding and displacement from important habitats due to loud, sporadic noises, etc.).
4. The number of birds present in proximity to the works and potential sensitivity of the receptor birds depending on their activities (breeding, foraging, roosting), numbers, species etc. This should be informed by suitable data, such as WeBS data and/or site-specific bird surveys to assess the relative importance of the area to Humber

birds.

5. Visual disturbance, including machinery and personnel. Visual disturbance combined with increased noise levels can increase risk of disturbance.
6. Lighting impacts, including whether additional lighting will be introduced into previously unlit areas, predicted levels of light spill and potential interaction with areas used by significant numbers of birds.

The 1% 'rule of thumb' can form part of the assessment of bird numbers but should not be relied upon alone to reach a conclusion.

Natural England can discuss further advice on noise assessments and mitigation measures with Local Planning Authorities on request or with applicants via DAS.

Annex C: Passage and wintering bird surveys for functionally linked land associated with the Humber Estuary and/or Lower Derwent Valley designated sites (Version 1.1, December 2021)

Background

The below guidance is intended to inform assessments of proposed development sites in proximity to the Humber Estuary and/or the Lower Derwent Valley designated sites only, where potential impacts from loss of/disturbance to functionally linked land (FLL) have been identified, for example due to presence of suitable habitat (such as arable land/grassland or open waterbodies) and/or relevant bird records and/or local knowledge.

Natural England recommends that surveys are undertaken of the site and surrounding fields to provide an overview of bird usage during wintering and spring/autumn passage periods.

We recommend that the surveys are carried out in line with the following best practice guidance. Where alternative approaches are used, clear justification should be provided.

Please note that recommended survey periods, frequency and design may differ for sites located within the boundaries of Humber Estuary or Lower Derwent Valley designated sites, or in proximity to other designated sites. Please contact Natural England in such cases.

Survey periods and frequency

Natural England recommends that surveys are completed at the following frequency:

- Autumn Passage – two surveys per month between August to October inclusive.
- Winter - two surveys per month between October to March inclusive.
- Spring Passage – two surveys per month between March - Mid-May inclusive.

We advise that spring and autumn passage surveys are completed (in addition to winter surveys) as the Humber Estuary and Lower Derwent Valley SPAs are important for species migrating between breeding and wintering sites. Further advice on seasonality for Humber Estuary SPA and Lower Derwent Valley SPA designated features can be found at [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk/designated-sites-view) and [UK9006092 Lower Derwent Valley SPA Published 14 Sep 2023 \(naturalengland.org.uk\)](https://naturalengland.org.uk/uk9006092-lower-derwent-valley-spa), respectively.

Weekly visits during the autumn and spring passage periods are recommended where birds are likely to be present in the migration period only, due to high turnover of birds during migration. Note that certain passage species, such as whimbrel associated with the Lower Derwent Valley SPA, may have specific survey requirements due to their migration behaviour. Please discuss such cases with Natural England.

Natural England recommends that two years of wintering and passage surveys should be completed in certain cases to provide a more robust understanding of SPA bird usage on the site and inform design of suitable mitigation, where relevant. This will depend on site-specific factors, for example where proposed development sites:

- are in very close proximity to the designated site/s; and/or
- have a large development footprint; and/or
- are expected/shown to have high bird sensitivity, especially where activity varies significantly between years; and/or
- existing bird records / expert advice demonstrates usage of the site by high numbers of SPA birds.

Please contact Natural England if you are unclear on whether two years of wintering and passage surveys are recommended for this proposal.

Survey design

Wintering/passage surveys should be designed to ensure that results are sufficient to provide a robust picture of distribution, abundance and regularity of use by waterbirds associated with the Humber Estuary and/or Lower Derwent Valley SPAs across the full extent of the proposed development site. Please refer to Annex B and/or Annex B1 for the non-breeding waterbird assemblage list for the Humber Estuary and Lower Derwent Valley SPA, respectively.

A detailed methodology should be included in the relevant report/s, including key information such as number of visits, date and time of visits, viewpoint locations and/or transect routes walked. The survey results should provide some understanding of how the birds use the site (for example, for roosting or foraging) as well as presence/ absence. We would expect to see commentary of birds landing and taking off within and out-with the development site. We also recommend recording birds in flight, particularly if the application may have the potential to affect bird flight lines.

Consideration should also be given to surveys in poor weather/ visibility conditions. Usual survey methodology is to avoid surveying in poor conditions due to potential reduced detectability of birds. However, use can vary in different weather conditions, so it may be helpful to carry on with surveys in poor weather. Weather conditions may affect the results of the surveys and therefore should be considered in assessing the robustness of the dataset.

In addition, details of wider weather conditions should be included, for example, where there may have been a particularly wet or cold season and this may change bird distribution across the area, due to frozen ground etc. Furthermore, a milder autumn may lead to wintering birds arriving later and vice versa in colder autumns.

The methodology should also consider whether the site has any seasonal features such as dips and low-lying areas that retain water at particular times, for example early in the season or in wet years. These areas may have importance for waders at these times, but if surveyed during a drier spell or where full passage/winter surveys have not been completed, it may be possible to underestimate the importance of the site.

For sites in close proximity to the Humber Estuary, the surveys should cover different tidal states. Use of sites closer to the estuary are more likely to be tidally influenced. For sites which may potentially affect high tide roosts, observations should be conducted from two hours before high tide to two hours after high tide. For sites where there are high tide roosts, it may be beneficial to have a series of counts at different heights of tides ('through the tide counts'), as some sites are only used on Spring tides and others are only used on Neap and low tides.

For sites in proximity to the Lower Derwent Valley, the surveys should cover different times of day and different flooding states in the valley. For example, during certain winter periods, the designated site may be extensively flooded and therefore usage of surrounding functionally linked land may be higher for wading birds.

The surveys should cover open arable land/grassland and any waterbodies within the proposed site boundary, as well as land adjacent to the development that could be affected and provides the potential to support designated site species. Where a site is adjacent to the Humber Estuary designated site, additional considerations may be required, for example

ensuring adequate surveys of intertidal habitats. Please contact Natural England in such cases.

Surveys may also need to take account of surveys at dusk and dawn, depending upon the bird species (i.e. geese and swans). If geese and swans have the potential to use the development site or surrounding area, we would expect to see surveys 1 hour before and 1 hour after, dusk and dawn during the respective bird survey season (i.e. winter, spring and autumn passage (as above)). These surveys should be in addition to the standard daytime survey but can be carried out on the same day. For example, a dawn survey to count geese or swans at their night-time roost could then extend into a survey of daytime use of fields for foraging.

Natural England generally recommends that observations from vantage points (VP) are used. VP surveys are considered preferable to walkover surveys for observing behaviour of birds on the ground (i.e., whether they are foraging/loafing etc.), and to minimise the risk of flushing birds due to movement of a surveyor during a walkover survey. Also, birds which may otherwise have landed in the field during the survey period may be unlikely to do so with the presence of a moving surveyor. If landscape features mean it is not possible to avoid walking through part of the survey area to get from one point count to another, this should be noted and the reaction of any birds present recorded, including any that are flushed.

Further guidance on vantage point surveys can be found at [Recommended bird survey methods to inform impact assessment of onshore windfarms | NatureScot](#). Natural England recognises that the NatureScot VP guidance is written for impacts associated with wind turbines. However, Natural England considers that the survey guidance detailed in Section 3.7 provides an appropriate methodology to identify distribution and abundance of birds to inform the assessment of other developments. We acknowledge that some of the information regarding the required watch hours and height considerations etc will not be relevant in the context of other developments. Therefore, site-specific considerations should be taken into account when designing the survey methods.

Where VP surveys are not considered appropriate for a particular site, clear reasoning and justification regarding the alternative survey methods undertaken should be provided.

Natural England has generally advised that if $\geq 1\%$ of a Humber Estuary bird species population could be affected by a proposal, alone or in combination with other plans or projects, then further consideration is required. However, where species are particularly vulnerable due to declines in the Humber population, then it may not be appropriate to rely on the 1% of the estuary population as the critical threshold. Mitigation measures may be required where lower numbers of vulnerable species are using a site that is proposed for development.

Nocturnal surveys

Wader and waterfowl usage of arable land/grassland outside designated sites can be substantially different at night. Therefore, Natural England recommends nocturnal surveys are also carried out if waders and/or waterfowl have the potential to use the development site. These surveys should be in addition to the standard daytime surveys. We recommend that several visits should be completed to determine if the site and/or surrounding areas play a regular role in supporting SPA species at night. Night vision/infra-red equipment and survey on moonlit nights can establish presence of nocturnal species or presence and direction of feeding/migration movements both by calls and by sight¹.

Guidance on nocturnal surveys can be found at [Nocturnal bird surveys | Bird Survey Guidelines](#). The nocturnal survey design should take this guidance into account, and the approach should be justifiable in the assessment. It should be noted that for most species nocturnal activity is likely to be underestimated in any attempted survey³.

¹ Scottish Natural Heritage: Recommended bird survey methods to inform impact assessment of onshore wind farms (March 2017- Version 2).

Annex D: Standard Advice for Air Quality Impacts in Nationally Significant Infrastructure Projects (NSIPs)

Natural England provides the following standard advice on air pollution. This advice relates to the protection of protected sites under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and the Wildlife and Countryside Act 1981 and should be taken as Natural England's formal representation. This standard advice is applicable to all stages of the NSIP process and may be used by the applicant for NSIP pre application stages, by the Examining Authority (ExA) during the statutory stages of the NSIP and by the relevant Secretary of State as the competent authority.

Protected sites are 'sites of special scientific interest' (SSSIs) and 'habitats sites' (also called 'European sites'). For the purposes of this advice, Habitats Sites are Special Areas of Conservation (SACs), possible SACs, Special Protection Areas (SPAs), Potential SPAs, Ramsar sites, and sites identified, or required, as compensatory measures for adverse effects on Habitats Sites. Although their regulatory frameworks differ, the general principles and approach for air pollution assessment outlined for Habitats Sites are also relevant for SSSIs. Where the following advice applies to both, we use the term protected sites. Where the advice or approach differs, the individual terms are used.

This includes advice on information that is required to assess this and how to interpret the results of air quality modelling for the decision maker to conclude whether air quality impacts would have an adverse effect on the integrity of a Habitat site or a SSSI. You should also consider any relevant caselaw that could affect how you carry out any air quality assessments.

Air pollutants

This advice covers the following air pollutants from the construction, operation and decommissioning phases of a proposal

- ammonia (NH₃)
- nitrogen oxides (NO, NO₂ or NO_x)
- nitrogen deposition
- acid deposition
- sulphur dioxide (SO₂)

Standing advice on air pollution and development is also available here:

<https://www.gov.uk/guidance/air-pollution-and-development-advice-for-local-authorities>

Whilst the standing advice does not cover NSIPs, it does include additional technical advice which may prove useful. However, in summary, Table 1 provides the steps that we advise should be taken to assess air quality impacts on protected sites. The applicant should provide their own assessment containing the information and detailed modelling you need. You need to review this and make your own conclusion.

Table 1: Sequential approach to air quality assessments

Stage	Step		Supplemental evidence/ basis for judgment
Initial screening for credible risk of an effect	1	Check Distance criteria - could significant emissions reach a protected site? Yes = move to Step 2	The Air Pollution Information System (APIS) includes an introduction to air pollution.

		No = no further HRA required	APIS provides site specific information on the interest features of individual protected sites and the sensitivity to air quality impacts of those features. Please see Table 2 for industrial air pollution screening distances. For road traffic impacts, roads on the affected road network that lie within 200m of a designated site should be considered. Use Magic Map to check the location of designated sites. Search for the location then select the 'Designations' option.
	2	Check if the qualifying habitats or supporting habitat of qualifying species are sensitive to air quality impacts. Yes = move to Step 3 No = no further HRA required APIS Site relevant Critical Loads and Levels (based on literature and professional judgement) http://www.apis.ac.uk/src/ Some habitats may not have a critical load because there is not enough data. In these cases, you should find the critical load for a similar habitat type or feature.	The qualifying features of Habitats Sites can be identified in the relevant Site Conservation Objectives and Supplementary advice packages, which include a definitive list of legally qualifying features. These objectives are available here. Alternatively, a list of qualifying features can also be found by searching for the Habitats Site and SSSIs on Designated Sites View , alongside Conservation Objectives and Supplementary Advice for Habitats Sites. The above links will also show whether any of the qualifying features for Habitats Sites have a Restore or Maintain Conservation Objective in relation to air quality thresholds (critical levels or loads). If the site is a SPA or an SAC/SSSI designated for an animal species (as opposed to a habitat), determine whether the predicted pollution effects on the supporting habitat will have a negative effect on the notified species.
Detailed AQ modelling	3	Undertake detailed modelling using a recognised dispersal model – i.e. Atmospheric Dispersion Modelling System (ADMS)	Air Quality modelling should include relevant scenarios that are clearly identified. One such example of scenarios is a baseline plus future forecasts as follows:

		Unless robust site-specific evidence is provided, we advise the lower range of the critical load should be used in modelling. If there are site specific reasons why it is more appropriate to use the higher end of the range, then this should be clearly evidenced.	Baseline, a construction year, and future operational year(s), do nothing (without proposal), do something (with proposal); taking into account background trends for each pollutant). For proposals that will emit pollutants from a point source, it is helpful to provide isopleths of the dispersion modelling results, showing the predicted contours of pollutant concentration and deposition of the development. These may be assessed against the locations of protected sites and sensitive features within those sites. At least 3 years of meteorological data should be included within the AQ modelling for sources other than for road transport modelling The Institute of Air Quality Management (IAQM) has produced the following document to assist its members in the assessment of the air quality impacts of development on designated nature conservation sites: air-quality-impacts-on-nature-sites-2020.pdf
Applying screening thresholds	4a	Apply Screening Threshold Alone If below threshold alone, move to step 4b. If above = move straight to step 5	Ascertain the Process Contribution (PC) from the plan or project (emissions and predicted deposition). Apply Screening threshold (1% of critical level or load) alone using the <u>annual averages</u>. If the process contribution is less than 1% of the relevant long-term benchmark (Environmental Assessment Level, Critical Level or Critical Load), the emission is not likely to have a significant effect <u>alone</u> irrespective of the background levels.
	4b	Apply Screening Threshold In-combination. If below threshold in-combination = no LSE/significant risk of damage etc and no further assessment required. If above = move straight to step 5	Use information from competent authorities (Planning Portal, PINS NSIP register or Environmental Permitting register) to determine if there are plans or projects in the pipeline (not included in the current baseline) that should be considered in-combination If the combined process contribution

		Applicants might use the Joint Nature Conservation Committee (JNCC) 'decision-making thresholds' as a reason for not completing an in-combination assessment. If so, you should check they have correctly followed the JNCC guidance on decision-making thresholds. If this guidance shows they do not need to complete an in-combination assessment, continue to step 5. If applicants have not used the decision-making thresholds, or have not followed them correctly, they will need to provide an in-combination assessment.	is less than 1% of the relevant long-term benchmark (Environmental Assessment Level, Critical Level or Critical Load), the emission is not likely to have a significant effect <u>in-combination</u> irrespective of background levels.
Detailed Assessment of ecological impacts	5	This step is to consider the ecological impacts of AQ on the interest features of the designated site and is not based only on numerical figures. If it is not certain whether sensitive features are located within the areas to be impacted, a site visit may be helpful to determine this. For SSSIs, this step should provide all the information necessary, including any required mitigation, for the decision maker to determine if there would be an adverse effect on a SSSI. If Habitats Sites are impacted by the proposals, move to Step 6.	The following information is likely to be helpful for the decision maker: Is the sensitive feature(s) located within the pollution footprint? Should it be there for the site to meet its Conservation Objectives or is there some other, natural reason (e.g. hydrology), why the sensitive feature(s) would not be expected to occur there? Check APIS Trends Tab for reasonable expectation on whether background pollution may be decreasing or not. Habitats that have already been subject to high background nitrogen deposition can develop tolerance to further deposition. This cannot be used to justify further exceedance as it would undermine conservation objectives to reverse decline. You should consider predicted effects on the species richness of a habitat against the site's conservation objectives.

Appropriate Assessment (AA) for habitats sites	6	The competent authority to undertake their AA to conclude whether or not there will be an adverse effect on integrity (AEOI) of habitats sites. Any mitigation proposed should also be assessed at this point. Should the AA conclude that the proposal would have an AEOI that cannot be excluded with mitigation measures, consider the derogation route of the HRA process. Should compensation measures be required under derogation, please contact Natural England for specific advice. Note: If an AA has been undertaken of the proposals <u>alone</u> and concluded that there will not be an adverse effect on integrity, if there are residual impacts that are not fully mitigated, these will need to be considered in combination with other plans or projects	Where mitigation is required to enable a conclusion of no adverse effect on integrity to be reached the AA must be able to show that mitigation measures can be relied upon to avoid adverse effects over the full lifetime of the project (ie construction, operation and decommissioning where relevant). To be viable, such measures should be effective, reliable, timely, guaranteed and of sufficient duration. The assessment of such measures should be supported by evidence. When deciding on whether the proposals set out in the NSIP will have an adverse effect on Integrity on a Habitats Site, the Conservation Objectives and any supplementary advice should be taken into account. Including whether the site is already exceeding the environmental thresholds for ammonia, nitrogen oxides and nitrogen deposition and has a restore conservation objective.
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Mitigation measures

If you cannot conclude there is no adverse effect, the applicant will need to apply mitigation measures. Measures will only be appropriate if you can quantify their effectiveness in reducing emissions on the protected site. You should check that mitigation measures are in place to avoid adverse effects on site integrity over the lifetime of the project.

Mitigation may include measures that:

- the applicant volunteers
- you impose through formal conditions or restrictions in any permission or authorisation – these may be different or stricter measures than ones proposed by the applicant

Examples could include:

- relocation or redesign of developments to avoid impacts on protected sites
- control of other emissions of the same pollutants with an overlapping effect

- a change in stack height for industrial processes
- Euro 6 standards for construction machinery
- adding wooded shelterbelts, trees, green walls and hedges to limit dispersal of emissions, as long as these measures in themselves would not negatively impact the protected site

Table 2: Industrial air pollution screening distances

Emission source	Distance for SSSIs	Distance for habitats sites
Industrial developments	2km	5km
General combustion processes (under 20MW energy input)	500m	500m
General combustion processes (20MW to 50MW energy input)	2km	2km
General combustion processes (over 50MW energy input)	2km	10km
Mechanical and biological waste treatment	500m	500m
Landfill waste	2km	2km
Compost (under 500 tonnes maximum annual operational throughput)	500m	500m
Compost (500 to 75,000 tonnes maximum annual operational throughput)	1km	1km
Compost (over 75,000 tonnes maximum annual operational throughput)	2km	2km
Airports, helipads and other aviation proposals	5km	5km
Oil and gas exploration and extraction	500m	500m
Quarries	200m	200m
Other industrial developments causing air pollution	500m	500m

Additional advice

Common Standards Monitoring⁴ is used to define the ecological condition of a protected site. It is undertaken on a broader level and does not currently consider air quality impacts. The relevant benchmark for assessing impacts is the critical thresholds. Therefore, the existing status of a designated site should not be the sole reason for judgement on potential impact.

For many protected sites, the current background pollution may already be exceeding the relevant critical load/level from a different source type to the project being assessed (e.g. where the main source of background exceedance is due to agriculture, but the proposal is an industrial project). Proposals must consider their own impacts against the relevant environmental thresholds. There are many reasons why background levels are high, but the conservation objective is to 'maintain or restore' air pollutants to within these benchmarks. The objective would be undermined by proposals that add further emissions, including if it

⁴ [Common Standards Monitoring | Advisor to Government on Nature Conservation | JNCC](#)

compromises any strategic initiatives to reduce air pollution levels.

You must determine if there is evidence that the increased emissions represent a measurable risk and could compromise the strategic initiatives. You would need to consider information on:

- the extent to which any declining national trends in air pollution, or strategic initiatives to tackle emissions affecting the site more locally, might otherwise lead to improvements
- the rate at which such improvements are anticipated
- the extent of the impacts of a plan or project, and whether those impacts can properly be considered temporary and reversible

If the affected area is small, consider the risk to site integrity proportionally. For example, how important is the area in terms of rarity, location, distribution, vulnerability to change and ecological structure. If it is a supporting habitat, consider its importance to the designated species on the site. Consider any site survey information that may provide evidence of existing impacts.

Emissions from road transport (if applicable):

Emissions from road transport may be an operational impact or be limited to the construction phase of proposals. Roads on the affected road network that lie within 200m of a designated site should be considered. If all affected roads are further than 200m from a protected site, then there is no likely significant effect (habitats sites) or no impact (SSSIs) on protected sites from air pollution

Improvements in vehicle technology and a move to further electrification of the vehicle fleet will, over time, result in lower background levels of nitrogen deposition and nitrogen oxide pollution near to roads. As most sites are currently over the relevant thresholds and have a “restore” objective, this should be noted as a “retardation” of the restore objective and expressed in months and years. Retardation of less than one year is acceptable as air quality is considered against an annual average. Please note that ammonia impacts cannot be assessed in this manner as there is no certainty of a declining trend.

Defra Emissions Factor Toolkit

The Defra Emission Factor Toolkit (EFT) allows for gradual introduction of electric vehicles into the fleet (cars and LGVs) up to 2050. These are the emission factors we advise that NSIPs should be using (which we advise should also consider ammonia emissions as well as NO_x – using one of three sets of emission factors available). However, the User Guide to the EFT highlights that calculation tools only support assessment years 2018 up to 2030, reflecting that predictions and assumptions beyond then become less certain. Where EFT calculated emissions are to be used after 2030 to inform air quality assessments, the EFT indicates that appropriate caveats around the limitations of the analysis must be included to accompany the assessment. We therefore advise that emission factors no later than 2030 are used for HRAs– which would mean percentages of EVs are at predicted 2030 levels. A key concern is that, although EVs themselves have no tailpipe emissions, and the percentage of them will increase, the remaining combustion engine vehicles on the road may become more polluting as they age as selective catalytic reduction technology may create ‘ammonia slip’ over time. Ammonia slip is the unreacted ammonia (NH₃) that escapes from a selective catalytic reduction (SCR) or selective non-catalytic reduction (SNCR) system used to reduce NO_x in exhaust gases.

Motorways within the affected road network

There is potentially an added complexity to the need for in-combination assessments when considering traffic on motorways, as including these roads can mean that the assessment takes account of traffic growth related to strategic factors or long range (external) trips that are independent of the specific plan or project and neighbouring plans or projects. These roads are strategically important and tend to have high volumes of traffic as well as being well represented in traffic models. The air quality assessment should therefore include traffic flows on these roads, but the external trips can be excluded from the initial screening assessment. A justification and explanation of which journeys are included and excluded in the traffic model should be provided.

The conclusions reached on the air pollution impacts of the HRA must be incorporated into the wider HRA conclusions for other impact pathways identified for the proposals.

How to Use this Advice in Decision Making

Provided you have followed the above advice and have been able to conclude there would be no adverse effects on any protected sites we would be able to agree with your decision to authorise the project

From: North Frodingham Parish Council <clerk@northfrodinghampc.org>
Sent: 14 July 2026 13:59
To: Clean Air Solar Farm <CleanAirSolar@planninginspectorate.gov.uk>
Subject: Scoping Consultation EN0110018

To whom it may concern

Consultation Response – Clean Air Solar Farm (Scoping Consultation EN0110018)

North Frodingham Parish Council has reviewed the early information provided for the proposed Clean Air Solar Farm. Although the development is not within the parish of North Frodingham, the nearest part of the site, close to Emmotland and Hempholme on the west side of the River Hull is only around 5–6 km from the parish boundary.

The Parish Council is concerned about how a development of this size could indirectly affect wildlife in and around North Frodingham. Animals and birds do not stay within parish boundaries and changes to land use in one area can have knock-on effects across the wider River Hull valley.

The Parish Council asks that the environmental studies for this project include:

- Clear consideration of how wildlife in our parish might be disturbed or displaced.
- Assessment of whether the development could break up or change important wildlife routes and habitats.
- A look at the combined impact of this project alongside other large developments in the wider area.

The Parish Council wants to make sure that any risks to local wildlife are properly understood and that suitable steps are taken to protect the natural environment.

Best regards

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Clerk to North Frodingham Parish Council

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Officer: [REDACTED]
Tel: [REDACTED]
Email: [REDACTED] [@northlincs.gov.uk](mailto:[REDACTED]@northlincs.gov.uk)

24/07/2026

Environmental Services
Infrastructure Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
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North Lincolnshire Planning Application Reference: DCO/2026/11

Planning Inspectorate Reference: EN0110018

Project: Clean Air Solar Farm

Proposal: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by Clean Air Renewables Limited (the applicant) for an Order granting Development Consent for the Clean Air Solar Farm (the proposed development)

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

Officer: [REDACTED]

Thank you for your email dated 30th June 2026 giving North Lincolnshire Council (NLC) the opportunity to comment on the Clean Air Solar Farm Scoping consultation.

I can confirm that after consultation with our internal technical consultees that North Lincolnshire Council has no comments or objections to raise in respect of this project with the proposed development not likely to result in any significant impact upon North Lincolnshire.

Kind Regards

[REDACTED]



Senior Planning Officer
North Lincolnshire Council



9 The Cottages
Market Green
Cottingham
East Yorkshire
HU16 5QG

27 July 2026

Planning Inspectorate
Environmental Services
Infrastructure Decisions and
Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by Clean Air Renewables Limited (the applicant) for an Order granting Development Consent for the Clean Air Solar Farm (the proposed development)

Thank you for the opportunity to make comments on the environmental Scoping proposal for the Clean Air Solar Farm

Skidby Parish Council has reviewed this document specifically in relation to the potential impact of the proposal on Skidby Parish. It is aware that there will be wider impacts and concerns across the project area but has focussed on issues that will impact on Skidby residents and businesses.

Comments are made on the content of each chapter. We recognise there will be some cross over between chapters but want to ensure that all our concerns are recorded and addressed.

A number of general comments about the report have also been identified:

General Comments

- Although in some chapters the southern parcel is identified separately – there are several chapters where they are treated as one eg agricultural soils. This fails to recognise the distinct characteristics of the two areas and underplays or misrepresents issues unique to each. It is clear that this project has been artificially constructed to generate the coverage necessary to generate 500 megawatts of electricity but in reality, the two areas have little in common. It is essential that the two parcels of land are assessed separately to provide a realistic and accurate outcome.

- The report makes passing reference to other projects in the area with a view to combining effort but no real assessment in proposed of the cumulative impact of approved and proposed projects in the immediate neighbourhood. Impacts that are minor from one proposal may become much more significant when multiplied by the impacts of other proposed developments.
- There is no recognition of the particular effects of the proposal on the village of Bentley which will be completely surrounded
- The document does not pay sufficient attention to potential impacts on the chalk aquifer which supplies drinking water to the region
- The report does not consider the potential impact on minority communities eg 2 traveller sites in Skidby parish, one within 1 mile of the project area.
- The document makes no reference to academic reports on the impact of solar farms and relies entirely on reports from government official interest groups. Consideration of the findings of academics and other researchers would give the document more weight and credibility.
- The proposed studies and surveys are often desk based – more account should be given to site visits and liaison with local residents to gain local knowledge which may be able to refine the assumptions and high level results to reflect lived experience of local residents and identify specific issues and local nuances not identified by the proposed work.

Specific Comments

Chapter 6 – Biodiversity

The Biodiversity chapter is thorough and covers most issues of relevance to Skidby. However, there is anecdotal evidence of adders in the area that doesn't appear to be reflected in the proposed surveys. These should be added.

Chapter 7 – Hydrology

Flood Risk and Surface Water

Residents of Skidby have experienced surface water flooding during periods of heavy rainfall, most notably in 2007 when houses were flooded in low lying areas in the east of the village including Riplingham Road, Orchard Road and Main Street, with further flooding in 2024 and 2025 affecting garages and outhouses. The Environmental Statement should therefore assess not only flood risk within the application site but also whether the proposed development could increase flood risk to surrounding communities, including Skidby given its location in the valley below the proposed southern site. The sloped, chalk landscape of the Yorkshire Wolds rolling down from Skidby, Little Weighton, Bentley and Walkington towards Cottingham, Willerby, Hessle and West Hull (between 1-6 miles away) is a highly sensitive environmental intersection. Highly permeable chalk flows into the low permeability of the clay basins of Hull.

The assessment should therefore include consideration of:

- changes to surface water runoff from solar arrays, access tracks, substations and associated infrastructure, particularly where rainfall volume is such that it cannot soak into the ground, in light of existing issues of field runoff into Skidby;
- potential for run-off to be accelerated by rill and gully erosion and the impact of saturation zones at the drip line.
- alterations to existing agricultural drainage systems and field drains;
- impacts on local ditches, watercourses and ordinary watercourses draining towards Skidby;
- the cumulative effects of the development alongside other infrastructure projects in the area;
- future climate change scenarios, including more frequent extreme rainfall events – significant investment in flood alleviation in the surrounding areas will not have been designed to accommodate increased run-off from solar arrays.;
- evidence that there will be no increase in flood risk elsewhere, consistent with national planning policy
- Sewer capacity in adjacent settlements eg Skidby where capacity is already limited and sewers and surface waters drains are unable to cope in heavy rainfall events

In addition, site specific hydraulic flood modelling should also be undertaken for the southern parcel as well as the Northern parcel. It should be noted that Creyke Beck links into the COPFAS flood mitigation scheme and impacts on flow in the Beck may therefore be significant.

The following research reports are relevant and should be considered in the context of the precise geography and topography of the southern parcel of land and its exact placement on the East Yorkshire Chalk Aquifer above England's second biggest flood risk area which has been formally classified as a Critical Drainage Area.

- a) Cook and McCuen (2013) Journal of Hydraulic Engineering
- b) Wallingford Hydrosolutions (WHS 2017) UK Hydrology Review
- c) Essex Design Guide (2022) Leader Local Flood Authority (LLFA) Guidance
- d) Planted/Low Impact Design Research Design Paper ,Kansas Geological Survey (2024)
- e) Rouleau at Al (2024) Journal of Hydrology
- f) Baiamonte /Gristina Hydrological Processes Vol 37 (17 Dec,2023)

Chapter 8 – Agricultural Soils

Key omissions include:

- **Food security:** The southern parcel comprises almost entirely Grade 2 and 3a land (Best and Most Versatile). The report does not explain how the proposal aligns with national food security policy.

- **Site selection:** No evidence is provided of alternative, less productive sites considered or reasons for rejection.
- **Impact on surrounding agriculture:** Effects on neighbouring farms, cropping patterns, drainage and local food markets are not assessed.
- **Soil protection:** Construction and decommissioning pose risks of compaction and rutting. A soil specialist should be present on site during these phases.
- **Grassland management:** The long-term management of permanent grass sward across all phases requires clarification.
- **Parcel differences:** The northern and southern parcels differ substantially in soil type and topography. Separate assessments are essential. Combining the two areas also significantly downplays and misrepresents the amount of Grade 2 land being taken out of production in the southern parcel (minimum of 52% of the site area)
- **Climate change and heat island effects:** The report does not consider long-term climate change, panel-generated heat, impacts on crop viability, pest/disease. The report states that ‘consideration will be paid (sic) to the opportunity to introduce environmental measures that will help to avoid or reduce the potential for an adverse significant effect to occur. This statement is vague and unclear. The report needs to clarify what actions will be taken

Chapters 9 & 10 – Archaeology and Built Heritage

Cumulative Impact on “Wold-Edge” Village Identity

While the report identifies specific assets near each village, it does not explicitly address the **collective heritage character** of the area as a distinct “Wold-edge” landscape.

- The southern land parcel lies at the southern edge of the **Yorkshire Wolds**. The Proposed Development risks eroding the historical and visual separation between Skidby, Walkington, and Little Weighton, potentially merging their distinct historic settings into a single “industrialised” energy landscape.
- Impacts on significant heritage assets needs to be properly assessed and clear and convincing justification provided for any adverse impacts.

Lack of Data on Locally Listed Heritage Assets

The report acknowledges that a publicly accessible list of **locally listed buildings** within the East Riding of Yorkshire is not currently available.

- As a Parish Council, there are other landmarks that our community values but which do not appear on national registers. The report notes that these “non-designated heritage assets” are relevant, and our

Parish Council is best placed to identify them before the baseline is finalised.

- Local communities should have the opportunity to comment on the Zone of Theoretical Visibility which need to take account of potential seasonal variation eg tree cover
- The impact on non-Listed heritage assets and Grade II Listed buildings outside 1km are 'unlikely to be affected'. Until an assessment can be made with more certainty, they should be scoped in.

Impact on “Intangible” Heritage and Sense of Place

The Scoping Report defines archaeology and heritage primarily by physical remains and settings.

- We would like the inclusion of **intangible heritage**, such as the historic “sense of place” that contributes to our community mental health and identity. The report mentions “Community identity, culture, resilience and influence” as a health determinant. We would therefore argue that the loss of a historic agricultural landscape historically associated with these villages has a social heritage impact that goes beyond simple visual screening.

Vulnerability of Historic Structures to Ground Vibration

The report notes that decommissioning and construction will involve heavy vehicle movements and potentially piling.

- Many older buildings in Skidby, Walkington, and Little Weighton may have shallow foundations or be constructed from traditional materials sensitive to **ground-borne vibration**. We would like to request a more detailed assessment of how vibration from heavy construction traffic might affect the structural integrity of Grade II listed buildings along the transport routes, rather than just their “setting.”

Heritage Interpretation and Public Benefit

The report focuses on the “preservation in situ” or “recording” of archaeological finds.

- If significant archaeological remains are identified—such as the Iron Age/Roman enclosures and barrows already noted near our villages—we, the Parish Council want to advocate for **public interpretation** as a legacy benefit. This could include educational signage along the proposed permissive paths or the funding of local museum displays to ensure the “heritage value” is better revealed to the residents, as encouraged by NPS EN-1.

Disruption of Historic Connectivity and Pilgrimage Routes

The report mentions promoted recreational routes like the **Minster Way** and **Beverley 20**.

- These are not just modern footpaths but often follow ancient tracks and pilgrimage routes to **Beverley Minster**. We believe that the development impacts the *historical experience* of moving through the landscape, which is a facet of “Built Heritage” value that is not fully captured by looking at static views of individual church towers.

Geoarchaeological Potential and Ancient Landscape Management

The report mentions the potential for geoarchaeological deposits like pollen and waterlogged seeds in alluvial areas.

- Given the proximity to the **River Hull headwaters** and various becks, we would like a more rigorous study of how the solar farm’s drainage strategy might change the groundwater levels. Changes in hydrology can cause the **desiccation and destruction of organic archaeological remains** that may have survived for centuries in waterlogged conditions near these villages.

Chapter 11 – Landscape and Visual

Whilst the scoping report appropriately scopes out recreational activities where it is noted appreciation of the landscape is not a principal component (e.g. fishing at Risby Park Ponds), the extensive network of Public Rights of Way around Skidby is fundamentally different. Walkers, cyclists and equestrians use these routes specifically to experience the open countryside, views and tranquillity of the Yorkshire Wolds foothills. These receptors are likely to be of high sensitivity under GLVIA3 and should therefore be fully assessed within both the Landscape and Visual Impact Assessment and the Human Health assessment.

Assessment should also consider the sequential experience of travelling through the landscape, changes to openness, tranquillity and rural character and cumulative impacts across the networks of rights of way

Impact on wider receptor groups The landscape in the Southern Parcel forms one of the closest areas of open countryside and green belt area to densely populated nearby urban areas. As such its value extends far beyond the immediate local population. The assessment should therefore recognise that any change to the landscape and visual amenity affects a much wider population, who with regularity utilise this area for recreation. Assessment should include bodies that specifically represent such groups.

Walking routes relevance The Public Rights of Way within the Southern parcel form a network of well used linear and circular walking routes ranging from 2 miles to incrementally longer routes, leading to the Wolds Way. These routes are extremely popular as they provide multi distance safe, traffic free access through open countryside allowing minimal use of motorised transport, thus reducing risk to the public and horse riders alike. The environmental impact assessment should assess the effect of the proposed development on experience of those using such routes rather than considering individual sections of footpaths in isolation.

Impact on Equestrian users The Landscape and visual impact assessment should also specifically assess the impacts on equestrian users of the public rights of way and bridleways. Horses and their riders are highly sensitive

visual receptors as they experience the landscape in a novel manner, and are particularly affected by changes to openness, fencing, security infrastructure glint and glare. Professional judgement for assessment of these factors should include specific equestrian bodies such as The British Horse Society . who should be consulted regarding potential impacts on equestrian users, including the effect of deer fencing, security infrastructure, construction traffic and changes to the character and safety of bridleways and other routes used by horse riders. It is noted in Skidby alone there are 8 equestrian establishments that maximise the unique mix of quiet roads linked to the Southern parcel public rights of way Where the assessment of the sensitivity of landscape and visual receptors relies on professional judgement, the Environmental Statement should clearly explain the evidence and reasoning that underpins that judgement. Conclusions should be transparent, reproducible and consistent with GLVIA3, enabling consultees to understand how significance has been determined.

Chapter 12 - Transport and Access

There should be a traffic plan in place for each type of traffic -
Workforce/HGVs/Plant and Machinery/Delivery of infrastructure and Soil and Stone

There should also be separate reports and surveys done for each section separately due to the difference in highway infrastructure and use in both the northern and southern sites these should be done at regular intervals to take into account seasonal changes

There has been no indication where the BESS or converter stations are likely to be placed making it difficult to make any plan for traffic

The following issues need to be reflected in the environmental assessment:

How will the traffic from this scheme interact with other traffic generated by all the other current and proposed major infrastructure schemes?

How will the excess traffic affect the newly opened Hull to Beverley and Hull to Cottingham cycle tracks?

Traffic management surveys should be done at very regular intervals during all phases and at both sites?

How much additional traffic is expected to be generated and how has this figure been reached?

What measures will be taken to ensure that local villages and quiet lanes are not used as cut throughs for construction or operational related traffic?

What impact is the excess traffic likely to have on the local economy?

12.2 says that there will be no hazardous loads and have scoped it out but the BESS are hazardous as they are full of toxic chemicals and prone to igniting We have 2 Hospitals very close to the southern section - Castle Hill and Beverley both of these handle many emergency cases there are also many residential homes caring for old and infirm people who often need emergency care this needs to be taken into account during the traffic planning

As the whole area would be a significant provider of the nation's power would it then become a terrorist target, if so what impact on the road network would be impacted by security considerations.

Chapter 13 - Carbon and Climate Change

Whilst it is accepted that the aim of the project is to reach net zero and reduce climate impact, this needs to be offset by negative impacts such as the loss of agricultural land, the detrimental impact on landscape and heritage and the negative impact on residents' quality of life. These are not adequately addressed in the assessment.

Paragraph 13.12.6 states that the baseline current and future climate conditions remain unchanged, regardless of whether the Proposed Development is built, this seems counter to the aim of the project.

Paragraph 13-9-11 refers to the Whitby (weather?) Station – is this relevant for inland areas in the southern parcel?

Section 13-10 needs to take account of flood risk beyond the site boundaries. It is not clear that the assumptions in section 13.4 have taken proper account of increasing demand.

Paragraph 13-12-13 states 'the assessment considers the impact of climate change on the Proposed Development (as opposed to the impact of the Proposed Development on climate change), and therefore an inter-project cumulative assessment is not applicable.' Both should be covered.

Chapter 14 - Noise and Vibration

Construction traffic and noise should be factored in until appropriate routes are identified and mitigating actions are in place. Access is likely to be from small rural lanes with limited traffic currently.

A plan should be developed to minimise impact on local residents including restrictions on delivery routes and access times both during construction and operation.

Chapter 15 - Human Health

It is noted consultation is yet to be undertaken to date for human health (sec 15.7.1) It is requested that the scoping document uses specific local evidence of health for baseline evaluation not only district wide statistics which may not represent sensitive residential receptors.

Non-resident identification The assessment should also explain how non-resident recreational users have been identified and quantified, Visitor users of the public rights of way should be considered as part of the health assessment as these routes make an important contribution to preventative health through regular outdoor exercise and access to nature

Gypsy/Traveller sensitivity of residential receptor The Human Health Scoping Document refers to potentially vulnerable groups but does not appear to identify the established Gypsy / traveller sites near to the Southern parcel and within the Parish of Skidby. The assessment should include the residents of the nearby traveller site as a distinct receptor group. Romany gypsies and Irish Travellers are recognised ethnic groups under the Equality Act 2010 and any disproportionate impacts on these communities should be fully assessed There are two, permanent sites Woodhill Way (HU15 5SX) approximately 50-80 residents and within 1.5 Km of the site boundary Westfield Rd (HU16 5YJ0). 40-60 residents Given the proximity to the proposed development the environmental statement should confirm whether this has been included as a sensitive residential receptor and assess any potential health, amenity, and equality impacts including noise, dust traffic and mental wellbeing.

Tenant farmers, Agricultural workers, Farming families The human health scoping report includes unemployment and income as determinants of health but does not appear to consider the potential specific mental health and financial wellbeing impact on tenant farmers, agricultural workers and farming families whose livelihood and security of tenure may be affected by the proposal. The environmental statement should assess whether this group represents a sensitive receptor and evaluate any likely significant effects together with appropriate mitigation where necessary.

Changes to the landscape character The report focuses largely on whether people can still access the countryside for health and wellbeing but not whether this access will continue to offer the same benefits once its character has fundamentally changed. Changes that discourage this activity may have long term consequences for physical and mental health wellbeing on the receptor group.

Chapter 16 - Socio-Economics

Skidby is a small, historic rural village characterized by its agricultural heritage and its famous working landmark, the Skidby Windmill. The proposed development introduces distinct socioeconomic shifts:

Industrialization of the Rural Economy: The proposal would fundamentally shift Skidby's economy away from active agriculture. The vast scale of the solar arrays (covering thousands of acres of local land) would transition the area from a farming village to an industrial energy park.

Loss of Productive Agricultural Land: The project directly impacts local farming livelihoods by removing Grade 2 and Grade 3a agricultural land from food production. In planning terms, this is classified as Best and Most Versatile (BMV) agricultural land, which is crucial for regional and national food security.

Aesthetic and Tourism Depreciation: Skidby relies heavily on its historic rural landscape to attract visitors (such as walkers, cyclists, and heritage tourists visiting the Yorkshire Wolds). The introduction of security fencing, PIR lighting, CCTV, substations, and battery units will industrialize a pristine rural landscape, permanently degrading the visual amenity enjoyed by residents and visitors to local heritage assets like the Skidby Windmill.

Temporary Construction Disruption: The 2-to-3-year construction phase will bring heavy goods vehicle (HGV) traffic, noise, and dust to rural lanes near Skidby, disrupting local travel, school commuting, and daily life.

Critical Gaps: What is "Missing" from the Scoping Documents

Failure to Address Cumulative Regional Impact: This is the single biggest omission. The scoping documents evaluate the Clean Air Solar Farm in isolation. However, Skidby and the wider Beverley area are being targeted by multiple mega-projects simultaneously, including the nearby Pear Tree Hill

Solar Farm (320MW) and major grid connection upgrades (such as the North Humber to High Marnham transmission lines). The scoping report fails to address the cumulative "swamping" of a single rural pocket with national energy infrastructure.

Underestimating the Loss of Local Farm Jobs: While scoping reports highlight "green job creation", these temporary construction jobs are rarely filled by local villagers. Conversely, the long-term, permanent displacement of agricultural workers, tenant farmers, and supply-chain businesses supporting East Yorkshire food production is largely glossed over.

Unclear Siting of High-Risk Infrastructure (BESS): The exact footprint and location of the Battery Energy Storage System (BESS) site is vague. The safety, noise, and visual impacts of massive battery installations are highly localized issues that Skidby residents need explicitly detailed.

Vague Decommissioning Plan: With a proposed operational lifespan of 60 years, the "temporary" nature of the development is a misnomer—60 years represents multiple generations. The long-term plan for land remediation, soil restoration, and the removal of deep underground cabling is unclear.

Chapter 17 – Air Quality

This is scoped out of the environmental assessment. However, it is the view of Skidby parish Council that the following matters should be included in the environmental assessment:

- Effect of dust during the construction phase, particularly in dry or drought conditions
- Impact of road traffic emissions – a precautionary approach is required as the exact traffic generation is currently unknown but the construction traffic will generate an increased vehicle flow on rural roads and farm tracks
- Impact of construction and operation on SSSIs
- Proper assessment of any emissions or pollution caused by a fire at the BESS site

Chapter 18 – Land Quality and Groundwater

Some aspects are covered by the comments on the hydrology chapter and are not repeated here.

However, effects of contamination on groundwater and surface water should be scoped in. Given that contamination within soils and controlled waters can be mobile and highly variable – this issue needs thorough and wide ranging assessment

No evidence is provided of the justification for the 250m buffer zone and the 1km impact limit – these may not be adequate in all parts of the project site, depending on hydrology, geology and soils.

The current scope does not appear to take account of the potential impact of climate change or recent weather events and focusses on historical data. An assessment of worst-case future scenarios is needed.

Given the importance of the chalk aquifer underlying the site to the drinking water of the whole region, it cannot be acceptable that potential impact on it are scoped out. It is of critical importance that this issue is properly assessed and any impacts and mitigating action identified and agreed.

Scoping out of land quality and groundwater needs to be justified by clear cross reference to other chapters to provide reassurance that the relevant issues are being properly addressed elsewhere.

The chapter should also cover the impact of proposals on Special Protection Zones and include assessment of the likely impact of a fire at the BESS site on contamination of the drinking water supply.

Chapter 19 – Scoped out Aspects

Glint and Glare – it is unclear why this is being proposed as a stand-alone report. A proper assessment is required of the potential impact on nearby communities, fauna and birds, as well as possible impact on important views and sight lines which should be protected.

Major Accidents and Disasters – Proper consideration needs to be given to the risks of major accidents and measures to deal with them. There is a clear threat to the water supply from contamination arising from a fire at the BESS. In addition, the infrastructure and BESS units are likely to become a possible target for bad actors and clear emergency response plans need to be developed and tested.

Recent wildfires exacerbated by drought conditions and strong winds have highlighted concerns about how such a fire would be managed on a Solar Farm traditional methods of extinguishing fires would be difficult or ineffective in managing spread. The environmental assessment should address this issue and also the potential effects of fire, smoke and emergency response on equine, livestock and other mammal receptors/

Heat and Radiation – the environmental assessment does not appear to include any provision for assessing the risk and potential impact of creating a heat island, on local micro-climates, adjacent crops or local communities. This needs to be scoped into the assessment.

Conclusion

Skidby Parish Council requests that all issues raised in this submission are fully incorporated into the Environmental Statement. The scale, location and cumulative context of the proposal mean that a rigorous, locally informed and evidence-based assessment is essential to ensure that impacts on Skidby Parish and its communities are properly understood and mitigated.

Yours sincerely

A large black rectangular box redacting the signature of the Clerk to the Council.

Clerk to the Council

From: Sphere Enquiries <enquiries@sphere-connections.co.uk>
Sent: 02 July 2026 13:17
To: Clean Air Solar Farm <CleanAirSolar@planninginspectorate.gov.uk>
Subject: Re: EN0110018 Clean Air Solar Farm - EIA Scoping and Consultation and Regulation 11 Notification

Hi Wing

Thank you for taking the time to share these details with us.

I can confirm that Sphere Energy Connect has no assets in the vicinity of these works and have no comments to make at this time. We are a new IDNO business just entering the market and still completing Regulatory processes in order for us to operate an asset base within the UK.

Good luck with the project.

Thanks

[REDACTED]



[REDACTED] | Head of Asset Management &
Operations | Sphere Energy Connect

E: [REDACTED]@[sphere-connections.co.uk](mailto:enquiries@sphere-connections.co.uk) | M: [REDACTED]



UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN0110018
Our Ref: 95480

Ms Wing Sum To
Environmental Advisor
The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough SL1 4PN

27 July 2026

Dear Ms To

Nationally Significant Infrastructure Project Clean Air Solar Farm, EN0110018 Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report, we wish to make the following comments and recommendations:

Environmental Public Health

We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which

ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

The proposed development will include a Battery Energy Storage System (BESS) infrastructure and various electrical infrastructure. We note community safety linked to the BESS is scoped out. The applicant proposes to include design, mitigation and management measures which will seek to minimise population health risks from fires, spills and electrical hazards within the outline battery safety management plan (oBSMP). However, given that the location of the BESS is not currently given in the documentation, an assessment of the potential impact of emissions from a fire or thermal event involving a BESS unit may be required to fully assess the risk to any residential or other sensitive receptors off-site.

Recommendation

We recommend that the applicant considers potential impacts from a fire incident involving the BESS, including potential public health risks from any plume and water run-off, having regard to NFCC guidance and in consultation with Humberside Fire and Rescue Service.

Yours sincerely,

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

¹
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

Walkington Parish Council

Dear Sir/Madam,

REF:- EN0110018 – Clean Air Solar Farm Scoping Report June 2026

As a statutory consultative body Walkington Parish Council is of the view that the Scoping report detailed above submitted by Clean Air Solar is completely inadequate and the inspectorate should reject it requiring a fundamental redraft.

This report states that the applicant 'may not be required to undertake a formal statutory phase but will continue to undertake proportionate and meaningful engagement with local communities '. If this is correct, it would appear that there is now no requirement for developers to have any statutory requirement to do this. Walkington Parish Council strongly challenges that there has been NO meaningful engagement with local communities to date, so it is impossible for this issue to stand. The local community have no confidence in the developer's intentions. Walkington Parish Council would like clarification as to how the engagement process will progress.

It is apparent that the developer has attempted to apply a generic Environmental Implementation Assessment (EIA) to both the northern and southern parcels drawing on the previous work on the northern area, which was part of the original Kingfisher proposal, without any review of the specific environmental impact on the southern area, added on only very recently. The two parcels of land are 9.5 km apart (19km apart at furthest edge) and have completely different soil, landscape and flooding profiles. They have used the previous Kingfisher EIA and simply added to it without due diligence and proper consideration of the relevant issues for the Southern Parcel.

The contention that the sites are one unit is simply illogical given the geographic separation and the fundamentally different environmental conditions.

There is no reference to any Site Selection Criteria used as to why the Northern and Southern Parcels have been identified. Acknowledging that the Southern Parcel is 99% Grade 2 and 3a classified land, the developer must prove that they have undertaken a detailed investigation into other available sites. There is no reference to this at all. We believe the only reason the Southern Parcel is now included is because the developer is offering the single landowner, SIX times the annual rent of the existing tenant farmers (over £60 million extra over 60 years). The Southern Parcel is extremely profitable for the Developer due to its proximity to Creyke Beck, providing significantly reduced cabling costs and reduced energy loss in transmission. Linking the northern and southern parcels of this proposal is simply an attempt to create a project large enough to qualify as a NSIP, thereby bypassing local planning approval.

The report states '*If required, an Interrelationships Report will be submitted as part of the DCO application*'. Given the large number of other major energy projects being undertaken in this small 5-mile radius at the very same time as this proposal, we strongly urge that this should be included as a mandatory requirement now. We assume that it would be the Planning Inspectorate who would determine if this '*is required*' and strongly encourage you to confirm that this is the case.

When mentioning Transport and Access the report lists 4 other projects that would be included in the Scoping Report- Hornsea 4, Dogger Bank D, Dogger Bank South (now split SW and SE). This is

completely inadequate. The Cumulative Impact of all the major Energy Projects, all of which are demanding access to a 5-mile radius around Beverley in similar locations at the same time, presents an unbearable burden to residents who are trying to go about their daily lives. This will directly impact on all aspects of Human Health for all sections of society on all areas of their lives:- young, old, frail, working parents, school children, physical activity enthusiasts, retired etc, etc. The following projects must also be taken into account: - National Grid expansion at Creyke Beck, Molescroft Solar Farm, Pillswood Bess expansion, Carr Solar farm, Wanlass Beck substation, Eastern Green Link 2, Birkhill Wood substation, North Humber to High Manham Grid Upgrade, major housing developments around SE Beverley and North Cottingham, Traffic/ Road Upgrades, ETC. The Cumulative Impact of so many projects all coming together at the same time is causing enormous stress and Mental Health problems for so many people in these communities. This is accentuated by the lack of genuine consultation from the developer and the prospect of a process that may go on for many years. The fact that these other major projects are excluded, again reflects how little attention the applicant gives to this issue and has no real interest in truly understanding how the Cumulative Impact will affect these communities.

The area has significant Heritage Site presence. The reference to the Risby Jacobean Gardens, Hall and Medieval Settlement is completely incorrect and misleading. This 74-acre Heritage Asset is not located within 2km of the boundary. It is contained completely within the boundary at its centre. This is an outrageous assumption, a gross misrepresentation and must be challenged. There should be the strongest opposition to the inclusion of this famous Heritage Asset, where Henry VIII and his friends stayed, hunted and enjoyed the landscape with all its amenities.

The search area for cable runs is over 1km wide and has two completely different route options encircling Walkington with an even broader search area to connect to the new Wanlass Beck Substation. This again supports the view that this is two separate projects, and the vagueness of this broad approach is creating enormous stress to all residents. Other developers who are now holding meetings regarding their cabling and infrastructure placement are voicing their frustration about the lack of progress from Clean Air on their cabling route.

This EIA states that the risk of any flooding emanating from the Solar Farm is insignificant and will not be investigated further. Furthermore, any impact of the BESS or other factors are confined to just 1 km from the boundary site. There is a substantial body of evidence that proves Solar farms significantly add to the risk of additional rainwater runoff on to adjacent land, especially when ABOVE adjacent land. This Solar Farm would sit on the East Yorkshire Chalk Aquifer directly above a Critical Drainage Area in England's second highest flood risk zone after London. Although the basic amount of rainwater is not altered, the distribution of run-off is significantly altered increasing the risk of flooding in solar panel areas. There is NO acknowledgement of the academic and practical research which has clearly demonstrated that solar farms present a significant flood risk to adjacent land, particularly on sloping terrain. Indeed, this Scoping Report declares such a risk as insignificant and states that it will be excluded as a factor requiring further risk analysis.

Further Key areas of concern are:

- The area has a large network of footpaths, bridleways, cycle routes etc. Due to the scenic nature of the area these routes are used extensively by people from the area and visitors

alike. Leisure activities attract a vast number of people to the area largely due to the uninterrupted views from these leisure routes.

- The large number of visitors mentioned above contribute a major input into business within the area. It is certain that local business would suffer greatly due to the reduction in numbers of visitors if the solar farm development goes ahead. The effect on business would be far reaching throughout the East Riding of Yorkshire.
- The land in the southern parcel is 99% Grade 2 and 3a classified agricultural land. The southern parcel also sits on a critical chalk aquifer. No attempt has been made to justify site selection.
- The proposed location of the BESS and the convertor station is unclear, the siting of which is critical to assess the environmental impact.
- Dogger bank recently rejected sites locally as the substrata was deemed unsuitable to support relevant infrastructure. The Clean Air Solar Farm has extremely similar situations and should therefore attract the same decision.
- There is no acknowledgement that major pipelines cross the area, carrying highly explosive substances which require substantial exclusion zones of up the 100 metres either side.
- The hamlet of Bentley is completely ignored. Bentley is a community of 17 properties and households and faces the greatest burden of any community in this whole proposal as it will be immediately and surrounded by Solar Panels in very close proximity to the dwellings. This will destroy the identity and viability of this historic community, which appeared in the Domesday Book. This is already having serious issues for all its inhabitants.
- There are confusing references to both the Planning Act (2008) and the new Planning and Infrastructure Act (2025). Given that these represent such different approaches to key elements of the NSIP process, which one is being referenced?
- There is a statement saying that '*the applicant may NOT be required to undertake a formal statutory phase of Consultation*' !! Recognising the appalling track record of this applicant this must be utterly rejected.
- The report includes that an 'Interrelationships Report will be undertaken if required.' Given the significant impact all the competing and often conflicting projects planned for this relatively small area will have on each other, this cannot be left to the discretion of the applicant and/or PINS. It is an essential requirement that must be included from the outset. From attendance at the Dogger Bank D and SE/SW events, it is already explicitly clear that these developers are planning to use the same ground for their own different purposes.
- Conditions pertaining to biodiversity, land quality and groundwater are fundamentally different yet have been cut and pasted from that of the northern parcel.
- The report contains no reference to the inclusion of Agrivoltaics to mitigate the impact on the loss of agricultural land. When asked if it was possible to visit a reference site currently operating, of similar size, the developer conceded that no such site exists.
- The developer was dismissive of previously experienced fire risks from BESS operations which have occurred and are not dealt with under the EIA.
- Similarly, he dismissed concerns as to site security from pilferage experienced at other sites which has resulted in retrospective construction of high barbed wire fences.
- The routing of cables is separate in the northern and southern parcels further confirming that these parcels are entirely separate to one another.

- The impact on the lives of people in our village will be substantially negative in what is, at the moment, a peaceful and beautiful rural setting. Tenant farmers stand to lose their livelihoods, and tourism will be adversely impacted. This has not been considered in any meaningful way.

In summary we are of the view that the inspectorate should reject the generic EIA and require that the two projects be separated for submission purposes, both in respect of planning and EIA submissions.

The developer is simply seeking to dodge local scrutiny by bulking the two together and creating a bogus NSIP. A specific EIA **MUST** be compiled for the Southern parcel for any semblance of transparency to be demonstrated.

Walkington Parish Council

July 2026

WATTON PARISH COUNCIL

Response to Environmental Impact Assessment Scoping Consultation

Clean Air Solar Farm (formerly Kingfisher Solar Farm)

Planning Inspectorate reference: EN0110018

Document referenced: Clean Air Solar Farm Scoping Report, Document Reference 17505A, June 2026

Submitted by: Watton Parish Council

Date: 27.07.2026

Contact: Clerk to Watton Parish Council - [REDACTED] 3 Vicarage Close, Watton, Driffield, YO25 9BW.
Email – Wattonpc@hotmail.com

Glossary of Terms

The following abbreviations are used in this response and are expanded in full at first use in the text below.

Agricultural Land Classification (ALC)	The national system used to grade land according to its quality for agricultural use, from Grade 1 (excellent) to Grade 5 (very poor).
Best and Most Versatile Agricultural Land (BMV)	Land in Agricultural Land Classification Grades 1, 2 and 3a, which national planning policy affords protection from unnecessary loss to development.
Battery Energy Storage System (BESS)	Large-scale battery installations used to store and release electricity, typically housed in shipping-container-style units on solar farm sites.
Development Consent Order (DCO)	The form of consent, granted by the Secretary of State under the Planning Act 2008, required for a Nationally Significant Infrastructure Project such as this proposal.
East Riding of Yorkshire Council (ERYC)	The Local Planning Authority for the area in which the Proposed Development is situated.
Environment Agency (EA)	The statutory body responsible for regulating matters including flood risk, water quality and groundwater protection in England.
Environmental Impact Assessment (EIA)	The statutory process by which the likely significant environmental effects of certain projects must be identified and assessed before consent is granted.
Environmental Statement (ES)	The document, prepared following an Environmental Impact Assessment, that reports the likely significant environmental effects of a proposed development.
Flood Risk Assessment (FRA)	An assessment of the risk of flooding to and from a proposed development, and of the measures proposed to manage that risk.
Groundwater Source Protection Zone (SPZ)	An area defined by the Environment Agency around a groundwater source (such as a borehole) to show the risk of contamination from activities within that zone. Zone 1 ("SPZ1") is the most sensitive, innermost zone.
Habitats Regulations Assessment (HRA)	An assessment required under the Conservation of Habitats and Species Regulations 2017 to determine whether a plan or project would adversely affect a European protected site, such as a Special Protection Area.
Horizontal Directional Drilling (HDD)	A trenchless method of installing underground cables or pipes beneath sensitive features, such as watercourses, without open excavation.

Lead Local Flood Authority (LLFA)	The local authority responsible for managing local flood risk, including surface water flooding.
Landscape and Visual Impact Assessment (LVIA)	The assessment of the likely effects of a proposed development on the character of the landscape and on views experienced by people.
Local Planning Authority (LPA)	The local authority responsible for planning decisions in a given area; here, East Riding of Yorkshire Council.
National Planning Policy Framework (NPPF)	The Government's statement of planning policy for England.
National Policy Statement (NPS)	A statement of Government policy against which Nationally Significant Infrastructure Projects are assessed; here, NPS EN-1, EN-3 and EN-5.
Natural England (NE)	The Government's statutory adviser on the natural environment.
Nationally Significant Infrastructure Project (NSIP)	A category of large-scale infrastructure project, including certain energy generation schemes, which requires development consent from the Secretary of State rather than a conventional planning permission.
Planning Inspectorate (PINS)	The body responsible for examining applications for development consent and for issuing Scoping Opinions on behalf of the Secretary of State.
Principal Aquifer	A designation used by the Environment Agency for the most productive groundwater-bearing rock formations, which provide a high level of water storage and can support water supply and river flow.
Public Rights of Way (PROW)	Routes, including footpaths and bridleways, over which the public has a legal right to pass.
Residential Visual Amenity Assessment (RVAA)	A focused assessment of the effect of a proposed development on the visual amenity of individual residential properties.
Scoping Opinion	The formal opinion issued by the Planning Inspectorate under section 51 of the Planning Act 2008, setting out what should be included in an Environmental Statement.
Special Protection Area (SPA)	A site classified under the Conservation of Habitats and Species Regulations 2017 for the protection of rare, vulnerable or migratory birds.
Sustainable Drainage Systems (SuDS)	Drainage systems designed to manage surface water in a way that mimics natural drainage patterns and reduces flood risk.

1. Introduction

1.1 Watton Parish Council ("the Council") is the elected local authority for the parish of Watton, East Riding of Yorkshire, and a statutory consultee in the Development Consent Order (DCO) process for the above Nationally Significant Infrastructure Project (NSIP). This response is submitted to the Planning Inspectorate (PINS) in response to the Applicant's Scoping Report (Document Reference 17505A, June 2026) and is intended to inform the Scoping Opinion to be issued under section 51 of the Planning Act 2008.

1.2 The Council has reviewed the Scoping Report in full, together with Appendix A (Figures), Appendix B (Scoping Commitments Register) and the Planning Inspectorate's Section 51 Advice Log (version 6 March 2026). This response is confined to the adequacy of the scope of assessment proposed by the Applicant. This response concerns solely the adequacy of the proposed scope of environmental assessment. Nothing within this submission should be taken as indicating the Council's position on any future application for development consent.

1.3 Having reviewed the Applicant's own evidence, the Council considers that the proposed scope of assessment is presently inadequate in a number of important respects, set out in detail below. In each case, the Council's concern is founded on the Applicant's own baseline findings, not on speculation, and the

Council has identified expressly, where relevant, any point on which the available evidence remains incomplete.

Why Watton Parish is Particularly Affected

1.4 Watton is the settlement most immediately affected by the northern land parcel of the Proposed Development, and a number of matters raised in this response arise directly from the Applicant's own baseline evidence concerning land, water and wildlife in the immediate vicinity of the parish. In summary:

- The two northernmost compartments of the northern land parcel, which adjoin Watton, recorded a peak count of 8,600 pink-footed geese during the Applicant's own wintering bird surveys, a matter addressed in detail at Section 4 below.
- Watton Beck runs through the northern land parcel and has a recorded history of flooding, including in June 2007 and during Storms Ciara and Dennis in February 2020; its defences are maintained only to a 1-in-20-year standard of protection, addressed at Section 3 below.
- Carr Lane forms part of the construction traffic route identified by the Applicant, which anticipates up to 80 Heavy Goods Vehicle (HGV) and 130 Light Goods Vehicle (LGV) two-way movements per day at peak construction, addressed at Section 6 below.
- Parts of the northern land parcel lie within Groundwater Source Protection Zone 1, the Environment Agency's highest-sensitivity classification, overlying a Principal Aquifer with recorded historical groundwater abstractions, addressed at Section 2 below.
- The Applicant's own predictive Agricultural Land Classification mapping indicates that approximately 72% of the combined site is Best and Most Versatile agricultural land, addressed at Section 5 below.
- The northern land parcel is intersected by a network of Public Rights of Way, including bridleways used by local horse riders and connected to a nearby livery operation, and lies within approximately 0.6km of the Tophill Low Site of Special Scientific Interest, addressed at Sections 4 and 6 below.
- Watton and its public footpaths are identified within the Applicant's own Landscape and Visual Impact Assessment (LVIA) study area as directly affected visual receptors, addressed at Section 4 below.

1.5 It is against this evidenced local context that the Council has scrutinised the Applicant's proposed scope of assessment, and it is this context that explains the emphasis placed on the matters that follow.

2. Summary of Required Scoping Opinion Directions

2.1 The Council's principal concerns, in order of significance to the parish, are summarised below. Each is addressed in full in the sections that follow, with reference to the Applicant's own evidence and to the relevant policy and legislative framework.

Priority Issue	Required Scoping Opinion Direction
1. Groundwater, Hydrogeology and Land Quality	Reinstate as a full Environmental Statement topic, supported by a site-specific Hydrogeological Risk Assessment, given the site's location within Groundwater Source Protection Zone 1, its position over a Principal Aquifer, and the recorded historical abstractions.
2. Battery Energy Storage System / Major Accidents and Disasters	Reinstate as a full Environmental Statement topic, supported by a quantified fire and thermal runaway risk assessment, rather than deferring the matter to a post-consent management plan.
3. Ornithology / Functionally Linked Land	Require the Shadow Habitats Regulations Assessment to be completed and agreed with Natural England before submission of the Development Consent Order application, given the scale of wintering bird use recorded adjacent to Watton.

Priority Issue	Required Scoping Opinion Direction
4. Flood Risk	Reinstate reservoir flood risk within the assessed scope for the northern land parcel, and require the Flood Risk Assessment methodology to be agreed with the Environment Agency, consistent with advice already given by the Planning Inspectorate.
5. Agricultural Land Classification / Best and Most Versatile Land	Require the detailed field survey to be agreed with Natural England and published within the Environmental Statement before submission, given that the Applicant's own predictive mapping indicates 72% of the combined site is Best and Most Versatile land.
6. Cumulative Effects	Require the Applicant to apply the staged approach in Planning Inspectorate Advice Note Seventeen to the East Yorkshire Solar Farm and other reasonably foreseeable schemes, and to explain transparently the basis for including or excluding each.

3. Groundwater, Hydrogeology and Land Quality

3.1 The Applicant proposes to scope Land Quality and Groundwater out of detailed assessment within the Environmental Statement, relying instead on a desk-based Phase 1 Contamination Desk Study and Preliminary Risk Assessment for each land parcel (Scoping Report, "Scoped Out Aspects" chapter).

The evidence presently before the Inspectorate does not demonstrate that this scope is adequate. The Applicant's own baseline evidence confirms that parts of the northern land parcel lie within Groundwater Source Protection Zone (SPZ) 1, the Environment Agency's highest-sensitivity classification (Scoping Report para 18.3.21), that the underlying Chalk aquifer is designated a Principal Aquifer, and that four historical domestic and agricultural groundwater abstractions are recorded within the northern land parcel (paras 18.3.20–18.3.21). The Scoping Report further confirms that a site walkover has not yet been possible due to access restrictions (para 18.6.6).

3.2 The Environment Agency's published approach to groundwater protection ("The Environment Agency's Approach to Groundwater Protection", Version 1.2, February 2018) is founded on a precautionary approach to development affecting groundwater and expects an applicant to provide adequate site-specific information to demonstrate that groundwater will be protected. It also identifies Source Protection Zone 1 as the zone of highest sensitivity around a groundwater source, within which the potential for a pathway between a development and groundwater warrants particular scrutiny. The same document places responsibility on developers to assess and manage the potential impacts of their proposals on groundwater across all phases of a scheme: planning, construction, operation and decommissioning; and, for nationally significant infrastructure, expects the Environmental Impact Assessment process to identify all reasonably foreseeable pollution pathways rather than to assume their absence.

3.3 Applying that approach, the recorded presence of Source Protection Zone 1 within the northern land parcel is, in the Council's view, an indicator that site-specific groundwater assessment is required, not a basis on which the topic can properly be excluded from the Environmental Statement. A decision to scope Land Quality and Groundwater out of detailed assessment entirely, in reliance on a desk-based study only, before a site walkover has taken place, and without the pollution pathway analysis that the Environment Agency's guidance anticipates for developments of this kind, is not presently supported by sufficient evidence.

Recommendation: The Scoping Opinion should require Land Quality and Groundwater to be reinstated as a full Environmental Statement topic, supported by a site-specific Hydrogeological Risk Assessment addressing construction-phase risk (including dewatering, piling and spillage pathways) and operational-phase risk within Source Protection Zone 1, consistent with the precautionary approach set out in the Environment Agency's groundwater protection guidance, with the required site walkover completed before any further scoping decision is made on this matter.

3.4 This recommendation is supported by the Environment Agency's published approach to groundwater protection, by NPS EN-1's requirements concerning water quality and resources, and by the requirement in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") that scoping decisions be founded on an adequate understanding of the site's environmental sensitivity.

4. Flood Risk

4.1 A Flood Risk Assessment (FRA) is scoped in. The Applicant's own baseline confirms that parts of the northern land parcel lie within Flood Zones 2 and 3, with recorded historic flooding in June 2007 and during Storms Ciara and Dennis in February 2020, in the vicinity of the Kirby Drain and Watton Beck (paras 7.3.38–7.3.40), and that Watton Beck's flood defences are maintained only to a 1-in-20-year standard of protection (para 7.3.16).

The justification offered for scoping reservoir flood risk out of detailed assessment for the northern parcel is not presently supported by sufficient evidence. The Applicant's own Figure 7-10 shows the Environment Agency's mapped reservoir flood extent overlapping the boundary of the northern land parcel in the vicinity of Tophill Low. The stated justification, that reservoirs are generally maintained to a high standard, is a general proposition and does not constitute site-specific evidence, particularly alongside the Applicant's own acknowledgement that Watton Beck's own defences are maintained only to a 1-in-20-year standard.

Recommendation: Reservoir flood risk should remain within the assessed scope for the northern land parcel, or, in the alternative, the reservoir undertaker's breach-scenario data should be obtained and published as the evidential basis for any scoping-out decision. The Council also notes that the Planning Inspectorate's own Section 51 Advice Log (6 March 2026) already records advice to the Applicant to reach early agreement with the Environment Agency on flood risk methodology; the Council recommends that this advice be reflected expressly within the Scoping Opinion.

4.2 This is supported by NPPF policy on flood risk and coastal change, including the Sequential and Exception Tests, by NPS EN-1's flood risk assessment requirements, and by Schedule 4 to the EIA Regulations.

5. Ecology and Ornithology, including Functionally Linked Land

5.1 Ecology is comprehensively scoped in, and the Council does not raise concerns regarding the general adequacy of the topics scoped in for terrestrial and aquatic ecology. Hazel dormouse is the only matter scoped out, and appears to the Council to be justified on the evidence presented.

The matter of greatest significance to Watton Parish within this chapter is ornithological. The Applicant's own wintering bird surveys recorded a peak count of approximately 8,600 pink-footed geese within the two northernmost compartments of the northern land parcel, the fields closest to Watton, between October and December 2024, together with golden plover (200–300) and lapwing (paras 6.3.28–6.3.29). The Applicant has committed to a Shadow Habitats Regulations Assessment ("Shadow HRA") addressing functionally linked land in relation to the Humber Estuary Special Protection Area (SPA)/Ramsar site and Hornsea Mere SPA, using the Bowland Ecology (2021) methodology (para 6.8.15), but this assessment has not yet been completed or agreed with Natural England (NE).

5.2 Natural England's published guidance on assessing functionally linked land (Natural England Commissioned Report NECR207) applies a functional ecological test: whether land is regularly used by a qualifying species in a way that supports the population of a European protected site, rather than a fixed numerical threshold. On that basis, the Council does not assert that the recorded count of itself establishes functionally linked land. The Applicant's own surveys recorded approximately 8,600 pink-footed geese using the two northernmost compartments of the northern land parcel, which the Council considers to be a substantial recorded use of the site. Applying Natural England's functional test, a recorded use of this order is, in the Council's view, sufficient to demonstrate that a robust, evidence-led functionally linked land

assessment is required within the Environmental Statement and Shadow HRA, rather than to demonstrate any particular outcome of that assessment in advance.

5.3 The Council notes that the standard methodology for wintering bird assessment, the Wetland Bird Survey (WeBS), is based on repeated, standardised counts taken across a winter season and reported as peak counts and multi-year trends, rather than on an isolated observation. The Applicant's own survey data appears to have been collected across a single season, in part because of access restrictions (para 6.8.19), which the Council considers should be addressed before conclusions of significance are reached.

Recommendation: The Scoping Opinion should require the Shadow HRA screening to be completed and consulted upon with Natural England before submission of the Development Consent Order application, and should require the underlying ornithological assessment to include: multi-season surveys consistent with WeBS methodology; analysis of the habitat function of the northernmost compartments for the species recorded; mapping of recorded use in relation to the qualifying features of the Humber Estuary SPA/Ramsar site and Hornsea Mere SPA; and formal consultation with Natural England applying the functional test set out in NECR207.

5.4 This recommendation is supported by the Conservation of Habitats and Species Regulations 2017, NPS EN-1's Habitats Regulations Assessment (HRA) requirements, and Natural England Commissioned Report NECR207.

6. Landscape, Visual Impact and Residential Amenity

6.1 A Landscape and Visual Impact Assessment (LVIA) is scoped in with a 2km study area, which correctly identifies Watton and the Watton public footpaths (FP14, FP15 and FP18) as receptors. A Residential Visual Amenity Assessment (RVAA) is, however, committed only in the event that major adverse effects are found to persist at Year 15 of operation, once mitigation planting has established (para 11.8.5).

This timing is not adequate. No assessment is presently committed of residential visual amenity during the interim period (Years 1 to 15), during which mitigation planting will not yet have matured, for the residential receptors closest to the site. A period of up to fourteen years of unassessed, unmitigated major adverse effect is not an acceptable evidential gap in a document intended to inform examination of the application.

Recommendation: An interim RVAA should be required at Year 1, in addition to the Year 15 assessment already committed, for the residential receptors closest to the site.

6.2 Residential amenity more broadly is addressed across several chapters (Landscape and Visual, Noise and Vibration, Human Health) rather than as a single consolidated topic. While this is not, of itself, a deficiency, the Council recommends that the Environmental Statement (ES) include a summary table drawing together the landscape/visual, noise and traffic conclusions for the closest named residential receptors, cross-referenced to the relevant chapters, so that the combined effect on any individual household can be readily understood.

6.3 These recommendations are supported by NPS EN-1's landscape and visual effects requirements and by the Guidelines for Landscape and Visual Impact Assessment (3rd edition), the industry-standard methodology relied upon by the Applicant itself.

7. Transport, Public Rights of Way and Equestrian Safety

7.1 Transport is scoped in, with a study area that includes Carr Lane, and peak construction traffic quantified at approximately 80 HGV and 130 LGV daily two-way movements (para 14.7.2). Existing Public Rights of Way (PRoW), including bridleways, are to be retained, secured through an Outline Public Rights of Way Management Plan (oPRoWMP) addressing any temporary closures or diversions during construction (Commitment C30).

Two gaps remain. First, the Transport receptor list categorises non-motorised users generally, without naming equestrian users as a distinct group, notwithstanding the Council's knowledge that the local bridleway network is used by horse riders and connects to a nearby livery operation. Second, the Environmental Statement does not appear to include a quantified, rated assessment of the likely duration or extent of PRow closures or diversions, or a stated significance conclusion; this matter instead appears to be addressed procedurally, through the management plan, rather than assessed as a discrete effect.

Recommendation: The Scoping Opinion should require equestrian users to be identified as a distinct sensitive receptor group within the Transport Assessment, with specific reference to the livery operation in proximity to the access routes, and should require the Environmental Statement to include a quantified assessment of the anticipated duration and length of any PRow closure or diversion for each affected route, together with a stated significance conclusion.

7.2 This is supported by Schedule 4 to the EIA Regulations (description of likely significant effects), NPPF policy on public rights of way, and the Manual for Streets and the Design Manual for Roads and Bridges, both recognised as good practice in the assessment of vulnerable road users.

8. Noise

8.1 Construction and operational noise are scoped in for on-site plant, inverters, transformers and the Battery Energy Storage System (BESS) (para 14.7.3), supported by a committed baseline noise survey at up to ten monitoring locations, in accordance with BS 7445-1 (paras 14.8.1–14.8.2). Construction traffic noise is, however, proposed to be scoped out, on the stated basis that anticipated construction traffic movements are unlikely to result in a 1dB change in Basic Noise Level.

The Applicant has not demonstrated that this conclusion is soundly based. The same paragraph in which this matter is scoped out states that "baseline traffic information is not available at the scoping stage" (Table 14-3). A scoping decision reached on the express basis that the data needed to test it does not yet exist cannot be treated as a reliable conclusion that no significant effect will arise.

Recommendation: The construction traffic noise scope-out should be treated as provisional only, with a requirement to revisit the position once baseline traffic data is available, and for the outcome to be reported within the Environmental Statement.

9. Battery Energy Storage System and Major Accidents and Disasters

9.1 The BESS is confirmed to be sited on the southern land parcel only (Commitment C11), at least 300m from the nearest noise-sensitive receptor (Commitment C12), and subject to an Outline Battery Safety Management Plan (oBSMP) (Commitment C33). For accuracy, the Council notes that the BESS does not directly affect the northern land parcel adjoining Watton, though the matter remains relevant to the Council's consideration of the Development Consent Order as a whole and to the wider public interest the Council represents.

Major Accidents and Disasters is proposed to be scoped out of the Environmental Statement entirely as a formal topic. Management of fire and safety risk is instead proposed to rely solely on the oBSMP and Outline Construction Environmental Management Plan (CEMP), both secured as post-consent Requirements rather than assessed within the Environmental Statement itself. The evidence presently before the Inspectorate does not demonstrate that this risk can properly be assessed and managed without any quantified fire or thermal runaway risk assessment being presented for scrutiny at this stage.

9.2 Major accidents and disasters is an express, named matter for assessment under the EIA Regulations. Deferring this matter in its entirety to a post-consent management plan is difficult to reconcile with the requirement that the Environmental Statement describe the likely significant effects of major accidents and disasters relevant to the project.

Recommendation: The Scoping Opinion should require Major Accidents and Disasters to be reinstated as a full Environmental Statement topic, supported by a quantified fire risk assessment addressing thermal runaway, fire water containment and run-off, and off-site consequence modelling.

9.3 The Council draws attention, as a persuasive analogy only and not as a binding precedent, to a separate appeal decision concerning a battery energy storage scheme at Pound Road, Hawkchurch (Appeal Ref: APP/U1105/W/23/3319803, decision dated 16 February 2024), determined under section 78 of the Town and Country Planning Act 1990 rather than under the Planning Act 2008. In that case, the Inspector found that a Battery Safety Management Plan could not remedy deficiencies in the submitted layout, because the layout and its safety-relevant details had been fixed by the plans submitted for determination, and a planning condition cannot be used to change plans already approved. The Council considers this principle, that a management plan cannot substitute for a safety-tested design assessed at the appropriate stage, to be of direct relevance to the present recommendation that Major Accidents and Disasters be reinstated as a full Environmental Statement topic, rather than excluded from assessment in reliance on the oBSMP alone.

10. Glint and Glare

10.1 Glint and glare is not addressed as an Environmental Statement chapter; a standalone Glint and Glare Assessment is instead committed, informing the final tilt angle of the solar photovoltaic modules (Commitment C5). This approach is consistent with published Planning Inspectorate guidance for the scoping of solar development and is not, in itself, a deficiency.

Recommendation: The standalone Glint and Glare Assessment should be published for consultation alongside the Environmental Statement, and Watton should be confirmed as a receptor location within its scope, as this has not yet been stated.

11. Historic Environment: Archaeology and Built Heritage

11.1 Archaeology is scoped in, with continued engagement with Historic England and the relevant archaeological curator committed. Effects on findspots already removed from the ground, and on assets outside the site boundary, are scoped out on evidential grounds that appear to the Council to be reasonable. The Council does not raise concerns regarding this chapter on the material available to it.

11.2 Built Heritage is scoped in, with engagement with Historic England and the local authority conservation officer committed, and setting effects on designated heritage assets to be assessed following a detailed desk-based assessment. However, a finalised list of the specific designated assets to be assessed for setting effects had not, on the material available to the Council, been published. The Council is therefore unable to reach a concluded view on the adequacy of this element of scope and states this uncertainty accordingly.

Recommendation: The finalised list of designated heritage assets scoped in for setting assessment should be published and open to comment before the Environmental Statement is finalised.

12. Human Health

12.1 Human Health is scoped in using a recognised framework of wider determinants of health, with conclusions drawn substantially by cross-reference to other chapters, including Noise, Landscape, Agricultural Soils, Socioeconomics, Transport, Climate and Hydrology. Consultation with Public Health teams at East Riding of Yorkshire Council (ERYC) and Kingston upon Hull City Council, and with the UK Health Security Agency (UKHSA) and the Office for Health Improvement and Disparities (OHID), is committed following issue of the Scoping Report.

Because this chapter's conclusions are derived substantially by cross-reference, its reliability is contingent on the chapters it draws from. The deficiencies identified above in relation to Groundwater and

construction traffic Noise may influence the Human Health chapter's conclusions unless independently tested.

Recommendation: Human Health consultation with the named Public Health bodies should commence promptly following the Scoping Opinion, and the Human Health chapter's conclusions should be revisited in the Environmental Statement to the extent that the Groundwater or Noise scoping decisions addressed above are amended.

13. Climate Change Resilience

13.1 Carbon and Climate Change is scoped in, including a Climate Change Risk Assessment addressing the resilience of the Proposed Development to future climate conditions over its operational life. The Council has not identified an explicit cross-reference between the climate change allowances used in that assessment and those used in the Flood Risk Assessment.

Recommendation: The Climate Change Risk Assessment and the Flood Risk Assessment should be required to apply consistent climate-change allowance figures, with explicit cross-referencing between the two.

14. Cumulative Effects

14.1 A cumulative effects methodology is set out at Chapter 4 of the Scoping Report, applying a broadly 10km search radius and identifying named schemes including Dogger Bank D and South, Hornsea Four, works associated with the A1079, North Humber to High Marnham grid reinforcement, and Creyke Beck Solar Farm.

14.2 The Planning Inspectorate's Advice Note Seventeen sets out a staged, non-binding methodology for cumulative effects assessment, under which an applicant is expected first to identify potentially relevant developments and then to explain transparently any decision to exclude a given scheme from detailed cumulative assessment. The Council does not suggest that Advice Note Seventeen imposes a binding requirement to include every Nationally Significant Infrastructure Project within the East Riding, nor does it take that position in respect of any individual scheme.

The Council notes that the East Yorkshire Solar Farm, a separate solar development in the wider East Yorkshire area, does not presently appear within the Applicant's list of cumulative schemes. The Council has not been able to verify the acreage, capacity or consent status of that scheme from a primary source for the purposes of this response, and makes no assertion as to those matters. It raises the scheme solely as a potentially relevant development which the staged approach in Advice Note Seventeen would require the Applicant either to include within the cumulative assessment or to explain transparently why it has been excluded.

Recommendation: The Scoping Opinion should require the Applicant to apply the staged approach in Advice Note Seventeen to the East Yorkshire Solar Farm and to any other reasonably foreseeable renewable energy or battery storage development in the wider area, and to set out transparently, for each scheme considered, the basis on which it has been included in or excluded from the cumulative assessment.

14.3 This is supported by Schedule 4 to the EIA Regulations (cumulation with other existing and/or approved projects), by NPS EN-1's cumulative effects requirements, and by the Planning Inspectorate's Advice Note Seventeen.

15. Conclusion

15.1 The Council has confined this response to matters capable of being evidenced from the Applicant's own Scoping Report, its appendices, and the Planning Inspectorate's Section 51 Advice Log. On that evidence, the proposed scope of assessment is not presently supported by sufficient evidence in the

respects identified above, and the Council recommends that the Scoping Opinion require each of the matters set out in Section 2 to be reinstated or expanded within the scope of the Environmental Statement.

15.2 The Council would welcome further engagement with the Planning Inspectorate and the Applicant as the project progresses, consistent with the Inspectorate's own advice to the Applicant to engage with parish councils at an early stage.