

Date: 02 April 2026
Our ref: 545210
Your ref: EN10141



eastparkenergyproject@planninginspectorate.gov.uk

BY EMAIL ONLY

Customer Services
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Dear Sir/ Madam,

NSIP Reference Name / Code: EN010141

Natural England's Written Representations in respect of East Park Energy.

Examining Authority's submission deadline: 7thth April 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.

For any further advice on this consultation please contact the case officer [REDACTED] [REDACTED]@naturalengland.org.uk) and copy to consultations@naturalengland.org.uk.

Yours faithfully

[REDACTED]

NSIP Senior Officer
West Anglia Area Team

Natural England's Relevant Representations

PART I: Summary and Conclusions of Natural England's advice.

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Summary of Natural England's advice

Overall, Natural England are satisfied that the proposals have mostly addressed the environmental issues within our statutory remit. We advise the one area which requires further information, to enable the examining authority to make an informed decision, relates to Protected Species Licensing.

Natural England's advice in these written representations is based on information submitted by East Park Energy in support of its application for a Development Consent Order ('DCO') in relation to the development of a solar project (*'the project'*).

Part I of these representations summarises what Natural England considers the main issues¹ to be in relation to the DCO application, and indicate the principal submissions that it wishes to make at this point. Natural England will develop these points further as appropriate during the examination process. Natural England may have further or additional points to make, particularly if further information about the project becomes available.

Our comments are set out against the following sub-headings which represent our key areas of remit:

- Internationally designated sites
- Nationally designated sites
- Protected species
- Biodiversity net gain
- Nationally designated landscapes
- Soils and best and most versatile agricultural land
- Ancient woodland and ancient/veteran trees
- Connecting people with nature (National Trails, open access land and England Coast Path)
- Other valuable and sensitive habitats and species, landscapes and access routes

Our comments are flagged as red, amber or green:

- **RED** are those where there are fundamental concerns which it may not be possible to overcome in their current form.
- **AMBER** are those where further information is required to determine the effects of the project and allow the Examining Authority to properly undertake its task and or advise that further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy.
- **GREEN** are those which have been successfully resolved (subject always to the appropriate requirements being adequately secured).

Please note that in an effort to avoid unnecessary duplication of documentation, we have avoided commenting on each and every resolved environmental issue. If we have not commented on an issue identified within the ES as of negligible impact, it can be assumed we agree with the conclusion.

Natural England has been engaged by the applicant via our Discretionary Advice Service (DAS) for this project, with input only relating to SSSI's and soil survey methods. We have also provided comment at

¹ PINS NSIP Advice Note 11 Annex C sets out Natural England's role in infrastructure planning.

the statutory EIA Scoping and Section 42 and relevant representation consultation stages of the project. We welcome further engagement with the applicant if necessary.

Natural England have seen and agreed with the Statement of Comment Ground with the applicant.

Natural England consider all matters **GREEN** aside from Protected Species, though it is noted this is in progress. Our position on the status of these issues has not changed since submission of our relevant representations, apart from soils which has been updated below.

Internationally designated sites - GREEN

Natural England's position regarding internationally designated sites has **not** changed since submission of our relevant representations.

Nationally designated sites – GREEN

Natural England's position regarding nationally designated sites has **not** changed since submission of our relevant representations.

Protected species - AMBER

While Natural England's material position regarding protected species has not changed since the submission of our relevant representations, we acknowledge this is an ongoing process. Natural England have now received a draft protected species license for Great Crested Newts to review and will be able to update our position at the earliest possible deadline.

Other valuable and sensitive habitats and species, landscapes and access routes - GREEN

Natural England's position regarding other valuable and sensitive habitats and species, landscapes and access routes has **not** changed since submission of our relevant representations.

Biodiversity net gain

Natural England's position regarding biodiversity net gain has **not** changed since submission of our relevant representations.

Nationally designated landscapes – GREEN

Natural England's position regarding nationally designated landscape sites has **not** changed since submission of our relevant representations.

Soils and best and most versatile agricultural land - GREEN

Natural England's position regarding soils and most versatile agricultural land has not changed given the applicant's further information. Natural England's position remains that deferring a small area of Agricultural Land Classification (ALC) survey to a planning condition is generally not recommended, particularly where the outcome could influence the planning balance or the identification of Best and Most Versatile (BMV) land. The NPPF underscores the importance of protecting BMV land (Grades 1, 2, and 3a) and encourages the use of land of poorer quality where significant development of agricultural land is necessary. The NPPF also recognises soils as a natural capital asset, reinforcing the need for robust, up-front evidence on soil quality and land capability to inform sustainable development decisions.

The Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites further reinforces the importance of early soil resource surveys, appropriate soil handling, and minimising degradation principles that rely on accurate baseline data such as that provided by ALC surveys. Deferring surveys risks undermining these principles and may compromise the ability to implement effective soil protection measures during construction.

In addition, the Overarching National Policy Statements (NPS) for energy infrastructure EN-1 (Energy), EN-3 (Renewable Energy Infrastructure), and EN-5 (Electricity Networks Infrastructure) highlight the need to consider the permanent loss of agricultural land, particularly BMV land, as part of the planning and consenting process for Nationally Significant Infrastructure Projects (NSIPs). EN-1 specifically states that applicants should minimise impacts on BMV land and provide clear justification where such land is affected. These policy statements reinforce the need for a complete and defensible ALC evidence base to support decision-making and demonstrate compliance with national policy objectives.

However, Natural England will not challenge the applicants survey decisions.

Ancient woodland and ancient/veteran trees - GREEN

Natural England's position regarding ancient woodland and ancient/veteran trees has **not** changed since submission of our relevant representations.

Connecting people with nature (National Trails, open access land and England Coast Path) - GREEN

Natural England's position regarding connecting people with nature (National Trails, open access land and England Coast Path) has **not** changed since submission of our relevant representations.