



# EAST PARK ENERGY

**East Park Energy**

EN010141

**Natural England Letter of No Impediment:  
Great Crested Newts**

**Document Reference: EN010141/DR/8.31**

Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009: Regulation 5(2)(q)

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# EAST PARK ENERGY

Planning Act 2008

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

## Natural England Letter of No Impediment: Great Crested Newts

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<b>Planning Inspectorate Scheme Reference:</b>	EN010141
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Date: 24 April 2026  
Our ref: 2026-73446-EPS-AD1  
(NATIONALLY SIGNIFICANT INFRASTRUCTURE  
PROJECT)



[REDACTED]  
DCO Project Manager  
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*Sent by e-mail only*

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Dear [REDACTED],

CC [REDACTED]  
CC [REDACTED]

**DRAFT LICENCE APPLICATION STATUS:** Draft Licence Application

**LEGISLATION:** The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended)

**NSIP:** East Park Energy

**SPECIES:** Great Crested Newt (*Triturus cristatus*)

Thank you for your draft great crested newt licence application in association with the above NSIP site, received in this office on 27<sup>th</sup> February 2026. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'Letter of No Impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

This advice is being provided as part of Natural England's Pre-Submission Screening Service input for the above-referenced NSIP site. The following advice is based upon the information within the relevant draft licence application documents as provided to Natural England's Wildlife Licensing Service (NEWLS) on 27<sup>th</sup> February 2026.

Following our assessment of the draft application documents, I can now confirm that, on the basis of the information and proposals provided, **Natural England sees no impediment to a licence being issued, should the DCO be granted**. However, please note the following issues have been identified within the current draft of the Method Statement and supporting documents that will need to be addressed before the licence application is formally submitted. Please do ensure that the Method Statement and supporting documents are revised to include these changes prior to formal submission.

### **Named Ecologist Experience**

NEWLS welcomes the recognition within the draft licence documents that the involvement of a suitability qualified and experienced ecologist will be required as part of the formal EPS mitigation

licence application process. When the formal licence application is applied for, the individual applying to act as the Named Ecologist on the licence must be able to satisfy all the relevant criteria as required by Natural England to hold an A14 Mitigation Licence to derogate for impacts to great crested newts, either by presenting evidence of previously held similar licences, or, through the provision of appropriate and robust references and supporting professional competency information.

## **Survey Information**

The application presents a generally precautionary and proportionate survey approach that is broadly consistent with current guidance and NEWLS' expectations with respect to surveys for great crested newts. The project team have undertaken an extensive desk study, including consultation of local record centres, MAGIC, and relevant district-level licensing information, which provides an adequate understanding of the local context and confirms the presence of great crested newts within the wider landscape. A large number of waterbodies have been identified and assessed. eDNA surveys have been undertaken for a substantial proportion of ponds, using appropriately licensed or accredited personnel. Habitat Suitability Index assessments have been completed where access allowed, and where survey could not be undertaken, constraints have been clearly identified and a precautionary assumption of presence has been applied. This approach ensures that any uncertainty does not result in an underestimation of impacts.

However, the application relies predominantly on eDNA evidence and does not include conventional aquatic surveys to establish population size class. Whilst the applicant has cited EPS Licensing Policy 4 relating to the use of alternative sources of evidence, NEWLS notes that this represents a departure from standard practice in areas where impacts occur within 250m of ponds. Some survey data is also several years old. While the precautionary assumptions applied to the survey assessment reduce the risk of underestimating the likely effects and impacts of the proposed works, this reliance on eDNA information increases uncertainty regarding current population status and size.

Overall, the survey evidence is considered sufficient to inform the assessment of likely effects and mitigation proposals, although it carries a moderate level of residual uncertainty that must be addressed through mitigation, compensation, and safeguards. In particular, it is recommended that further and more intensive survey effort is considered where relevant for any waterbodies where greater impacts to GCN may occur as a result of planned works and/or any future changes to the scheme design.

## **Impact Assessment**

NEWLS considers that the application has adequately identified and described the likely impacts of the proposed development in the absence of mitigation. Impacts have been appropriately quantified and categorised according to temporary damage or permanent loss, and have been assessed spatially in relation to the distance from breeding ponds. No aquatic habitats will be lost or damaged and impacts are confined to terrestrial habitats.

The majority of impacts arise from temporary disturbance to predominantly arable and modified grassland habitats, with a comparatively small area of permanent habitat loss. Long-term impacts have been assessed over the operational lifetime of the development. Whilst it is acknowledged that the impacts from the project are largely temporary when considered in the context of construction programmes and human timescales, given that the typical lifespan of a great crested newt in the natural environment varies between 6 and 15 years, a 40-year project and its associated impacts, particularly those impacts that may cause severance of connectivity between habitats, represents a greater impact to affected newts than it would were it affecting more longer-lived animals.

The project may result in impacts to affected newts' entire lifetimes and/or multiple generations, and as such, NEWLS would expect to see specific and further discussion of this point, alongside evidence of how such impacts will be mitigated for, or, appropriate justification as to why the

project team feels these impacts are either unlikely to occur or will not result in significant negative effects to newts. It may be, for example, that sufficient habitat connectivity will be retained in and around areas where newts are present and where new infrastructure will be installed for the full 40-year period to mitigate any impacts from habitat severance. It is noted, though, that fragmentation has been considered in the draft licence application documents, and NEWLS agrees with the assessment that the design of fencing and internal access tracks is unlikely to result in a significant barrier to dispersal.

Whilst impacts beyond 500m from ponds have been excluded from the assessment, this approach is consistent with Natural England guidance provided that functional connectivity is maintained, and that the project team are confident that there will be no impacts to newts in connected habitats more than 500m from either the works footprint or relevant waterbodies. The conclusions regarding the significance of effects are dependent on the successful delivery of mitigation and compensation measures and on the assumption that habitat restoration and enhancement will deliver long-term ecological benefits.

NEWLS is satisfied with the assessment that, subject to appropriate mitigation and compensation, the impacts identified would not be expected to have a significant adverse effect on the local great crested newt population.

### **Timing of Proposed Works**

NEWLS considers that the overall timing proposals as set out in the draft Work Schedule document are broadly acceptable in principle, appropriately avoiding sensitive ecological periods for newts, and applying precautionary assumptions. However, as currently drafted, the Work Schedule is not specific and detailed enough as would be required for the formal licence determination, and hence clarification and refinement would be required, particularly in relation to vegetation clearance, hand searching, and with regards to appropriate seasonal controls during the construction period. It is recognised, though, that the Work Schedule document would be updated and detailed as appropriate following the granting of the project's DCO and in advance of the subsequent formal licence application.

### **Mitigation Measures**

The mitigation strategy appropriately adheres to the mitigation hierarchy, with a strong emphasis on avoidance. The retention of all ponds irrespective of confirmed presence and the avoidance of higher-value terrestrial habitats both reduce the risks to great crested newts. The application of EPS Licensing Policy 1 relating to reduced mitigation where appropriate and justifiable is considered appropriate given the absence of aquatic impacts and the predominance of temporary, low-risk terrestrial disturbance impacts.

Construction-phase mitigation measures are consistent with recognised good practice and include Ecological Clerk of Works supervision, two-stage vegetation clearance, hand searching of suitable refugia, strict controls on trenching and excavations, and toolbox talks to ensure site personnel are aware of their responsibilities. NEWLS considers that these measures, if properly implemented, will sufficiently reduce the risk of harm to individual newts.

The application does not propose the use of formal exclusion fencing or trapping. Given the low-risk nature of the impacts, this approach is acceptable in principle. However, it places an increased reliance on compliance with appropriate working methods and ecological supervision. The proposed relocation of any great crested newts encountered during works to nearby suitable habitat is appropriate, although its effectiveness depends on the availability and quality of receiving habitat. Further and specific detail on the proposed receptor sites, including the habitat types present within each of them, should be provided as part of the formal licence submission.

NEWLS considers that the mitigation proposals are proportionate and suitable to reduce impacts during construction, provided that they are fully secured and implemented in accordance with the method statement.

### **Compensation Proposals**

NEWLS considers that the proposed compensation measures are appropriate and are likely to result in a net gain for great crested newts at the population level. The application proposes the creation and long-term management of large areas of species-diverse neutral grassland through the cessation of intensive agriculture. This represents an increase in the extent and quality of suitable terrestrial habitat when compared with the baseline condition.

The scale of habitat creation exceeds the area of permanent habitat loss, and the inclusion of refugia and hibernacula is consistent with established mitigation guidance. Although no new ponds are proposed, NEWLS accepts that aquatic compensation is not necessary given that no breeding habitats will be affected.

NEWLS notes that the effectiveness of the compensation is dependent on delivery over the long term and on the maintenance of appropriate management regimes. Subject to these measures being secured, the compensation proposals are considered sufficient to offset residual impacts and contribute positively to the maintenance of Favourable Conservation Status.

### **Post-Development Management, Maintenance and Monitoring**

The application proposes long-term habitat management through a Landscape and Ecological Management Plan, with prescriptions that are appropriate to maintain and enhance terrestrial habitat for great crested newts. It is proposed that the DCO Conditions will safeguard the mitigation and compensation areas from future development, providing confidence in the long-term security of the measures.

However, no post-development great crested newt population monitoring is proposed. Given the confirmed presence of the species, the reliance on reduced mitigation measures through Licensing Policy 1 in tandem with atypical survey effort through Licensing Policy 4, and the scale of habitat change, the absence of monitoring proposals limits the ability to verify the effectiveness of the mitigation and compensation measures. In similar cases, limited and proportionate monitoring is often required to provide confidence that the Favourable Conservation Status test will be met and to allow remedial action should measures not perform as expected.

Accordingly, while the proposed management and maintenance measures are appropriate in principle, the inclusion of proportionate post-development monitoring would provide additional certainty and reduce the remaining risks. Such monitoring does not need to be exhaustive, but proposals to confirm continued GCN presence in waterbodies most wholly or partially surrounded by the proposed solar infrastructure following its installation would be beneficial, noting the previous access restrictions highlighted.

### **Next Steps**

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England

before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a 'satisfied' decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

Full details of Natural England's licensing process with regards to NSIP's can be found at [http://wearchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36\\_tcm6-28566.pdf](http://wearchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf)

As stated in the above guidance note, I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

The advice provided within the Pre-Submission Screening Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is, therefore, not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely,



Principal Officer (Principal Adviser) – National Delivery  
Wildlife Licensing – Chargeable Advice and Strategic Casework  
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