

Tween Bridge Solar Farm

Environmental Statement Appendix 7.9: Natural England Discretionary Advice Note – December 2024

**Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009**

APFP Regulation 5(2)(a)

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Revision 1



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BY EMAIL ONLY

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Dear Henri Scanlon,
Cc Paul Hunt, Gareth Roberts, Julian Arthur, Rob Revolta,

Discretionary Advice Service (Charged Advice) UDS-A017176

Development proposal and location: EN010148 Tween Bridge Solar Farm, land to the east of Thorne & west of Ealand, South Yorkshire.

Thank you for your consultation on the above dated 21st October 2024.

This advice is being provided as part of Natural England's Discretionary Advice Service (DAS). Pegasus Planning Group Limited has asked Natural England to provide comments upon:

- Summary of proposed non-breeding bird mitigation strategy.

This advice is provided in accordance with the DAS Quotation and Agreement dated 19th December 2024.

The following advice is based upon the information within:

- Non-Breeding Bird Mitigation Tween Bridge (Tyler Grange, 3rd October 2024)

Please note that the advice provided by Natural England in this letter should be read alongside the advice given in our previous responses both via Natural England's DAS and the Section 42 response.

As stated in our Section 42 response dated 29th November 2023, it is not possible to provide comprehensive comments on required mitigation at this stage, in the absence of a robust assessment of the potential impacts to the Humber Estuary designated sites, informed by non-breeding bird survey data from Year 2 (2023/24) and previously requested updates to the PEIR Technical Appendix 07.3: Non-Breeding Bird Survey Report. Therefore, our comments are limited to the information available at this stage and may be subject to changes when the required additional information and assessment is provided.

Non-Breeding Bird Mitigation Tween Bridge (3rd October 2024)

Natural England broadly welcomes the commitment to implement a mitigation strategy for impacts to non-breeding bird species associated with the Humber Estuary SPA/Ramsar/SSSI, including golden plover, lapwing and pink-footed goose. However, we advise that the Year 2 (2023/24) bird

surveys are required to determine the extent of mitigation required and whether mitigation is also required for other species.

In terms of the proposed scheme, it is therefore difficult to provide comprehensive comments at this stage, but we have highlighted some overarching comments and key principles to consider below.

Draft Order Limits

We acknowledge that there may be changes to the draft Order Limits included in the current documents prior to Examination. However, we advise that any resulting effects on the type/extent/scale of environmental impacts from the proposal and suitability of the proposed mitigation scheme should be adequately addressed in the relevant updated assessments. It will also be important to assess the impacts associated with the proposed cable route, informed by suitable levels of data collection. Should overhead cabling be required, we advise that further assessment should be provided for potential bird collision risk.

Habitat types and carrying capacity of the proposed mitigation areas

Overall, Natural England welcomes the proposed outline approach to grassland creation for waders (lapwing and golden plover), based on the information provided to date. We welcome that *“the locations proposed for the mitigation response have, where possible, been chosen to align with recorded locations of the relevant species (Appendix 1).”* It is helpful to see the baseline usage of the proposed mitigation areas in Table 2. However, further assessment is required of the capacity of the proposed mitigation areas to support the required number of birds to mitigate for impacts associated with the proposals. As stated above, this should be underpinned by an appropriate assessment of the impacts to the Humber Estuary designated sites, informed by non-breeding bird survey data from Year 2 (2023/24) and previously requested updates to the PEIR Technical Appendix 07.3: Non-Breeding Bird Survey Report.

We note the justification provided in Section 1.5 of the Mitigation Strategy that waders and pink-footed geese will not compete for foraging resources due to their differing foraging/habitat requirements. Natural England acknowledges that, in theory, both waders and geese can be accommodated as they do not compete with each other for food. However, in practice, management to maximise the food for one group might impact the other. For example, if the aim is to maximise the amount of grass for geese, then a dense even sward might hinder the waders' ability to get to soil invertebrates. Therefore, ideally the mitigation area would be larger than would be required for either one group (but not adding the two area requirements together as the two groups are not in competition and are being accommodated on the same land) so that suitable habitat types for each species can be provided. The inclusion of scrapes and muddy areas would be of particular benefit to waders.

We advise that consideration is also given to the foraging preferences of pink-footed geese in the mitigation design. Pink-footed geese are generally more likely to feed on arable land with high levels of carbohydrates than grassland, particularly earlier on in the winter season. They tend to preferentially feed on sugar beet tops, then winter cereal crops, oil seed rape or post-harvest cereal stubbles. Therefore, we would encourage consideration of the incorporation of areas of suitably managed winter crop rotation for pink-footed goose (including sugar or fodder beets, where possible), in addition to the grassland areas.

The arable rotation would need to be managed with consideration of the needs of SPA species. Factors to consider include, but are not limited to:

- A suitable cropping regime, such as sugar beet tops, oil seed rape, winter cereal crops and post-harvest cereal stubbles for geese.

- The avoidance of deep ploughing.
- The addition of manure subject to a reasonable agricultural cycle.
- The incorporation of a ley crop within the management rotation.
- The inclusion of permanent grass margins to the fields.

The connectivity of mitigation areas is important. For the provision of grassland, one or two larger areas is generally preferable to a fragmented design which spreads the mitigation areas throughout the site. Consideration should also be given to whether these proposed fields would adequately function in the context of surrounding proposed solar infrastructure. Golden plover and lapwing rely on open vistas to forage. As a result, if an existing smaller field becomes enclosed by infrastructure, the suitability of the field for these species may diminish. Therefore, Natural England generally advises that an undeveloped / undisturbed 150m buffer around the core mitigation areas is secured to ensure continued effective functioning of the mitigation area. If solar panels are proposed to be situated in the 150m buffer area, evidence should be presented to determine whether the siting of the panels will affect the usage of the core mitigation area by birds. If sufficient evidence is not available, we would continue to recommend that a 150m buffer free from solar infrastructure is used.

Management and monitoring

All mitigation areas should be adequately managed, monitored and secured in-perpetuity, at least for the lifetime of the development. This should be clearly demonstrated in the relevant assessments.

We note that Table 1 states *“The management of the grassland can be achieved in a number of ways, set out below.”* However, we advise that it should be clarified which management approach/es will be secured and how these will effectively deliver the required outcomes.

In addition, 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 required management and monitoring (including who is responsible and when it will take place).
- Details of limits of acceptable change.
- Details of remedial actions, where appropriate.

Other advice

Parcel 1

Natural England would welcome continued engagement on the proposed design and management of Parcel 1 to provide suitable mitigation for Humber Estuary SPA/Ramsar/SSSI wading birds, alongside water management improvements for Thorne & Hatfield Moors SPA/Thorne Moor SAC/SSSI. This is considered to be an important opportunity for Nature Recovery in the area.

We recommend that a wet grassland scheme with ditch raising and water level management would be the most suitable mitigation approach in this location. Natural England would also encourage suitable removal of tree cover at the edge of the moors to improve suitability of this area for wading birds. As above, the assessment will need to adequately demonstrate suitable carrying capacity, management and monitoring of this area for the relevant wading bird species.

Please confirm whether the mitigation plans for Parcel 1 include the current arable habitat only. It appears that some sections of the wider parcel are within the designated site boundary. Therefore, habitat within the designated site boundary cannot be considered towards the delivery of mitigation for loss of functionally linked land. Suitable habitat enhancement within this area may be possible; however, this would need to be delivered outside the HRA mitigation process for loss of functionally linked land.

Natural England would also encourage suitable management of the Thorne Moor SAC fringe areas immediately to the north and the south of Parcel 1. Our Humberhead Peatlands National Nature Reserve (NNR) Team would be happy to discuss this in more detail.

Nightjar

Natural England would welcome an update on the assessment of potential impacts to nightjar associated with Thorne and Hatfield Moors SPA. As stated in our Section 42 response, Natural England has been involved in nightjar tagging studies in the area, which we can discuss upon request. We highlight the results from the 'LIFE+ - 'That's Life' Monitoring of European Nightjar 2015 – 2017' project that showed tagged nightjars foraged within the proposed application site boundary. Nightjar were also recorded nesting in proximity to the site boundary. Therefore, we advise that further assessment of impacts to nightjar should be provided.

Protected species

Natural England Wildlife Licensing Service (NEWLS) Chargeable Advice and Strategic Casework (CASC) Team encourage early consultation on NSIP schemes likely to impact protected species and/or their habitats. The CASC Team would particularly encourage developers to consult Natural England on draft Licence Applications during the pre-application period in pursuit of a Letter of No Impediment (LONI). Where capacity allows, the NEWLS CASC team can also provide comments/advice on (but generally not design):

- Surveys.
- Impacts, methods and mitigation in support of a licence.
- Compensation where required.

Applicants seeking protected species advice via the Discretionary Advice Service (DAS) and pre-submission screening service (PSS) should submit enquiries and requests for charged advice to PSSEnquiries@naturalengland.org.uk.

Please note that the NEWLS CASC Team will deliver advice separately from the Area Team's advice on designated sites and other areas within Natural England's remit on NSIPs. However, the advice can be delivered under the existing DAS agreement, where relevant. Please let us know if you have any questions on this process.

☒ The advice provided in this letter has been through Natural England's Quality Assurance process

The advice provided within the Discretionary Advice 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

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Yours sincerely

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