

Date: 30 June 2026
Our ref: 551705
Your ref: EN010148

Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
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SL1 4PN

BY EMAIL ONLY



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Dear Inspector,

NSIP Reference Name / Code: Tween Bridge Solar Farm / EN010148

Title: Natural England's comments for Deadline 3 in respect of the Tween Bridge Solar Farm Project, promoted by RWE Renewables UK Solar and Storage Limited.

Examining Authority's submission deadline: 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.

For any further advice on this consultation please contact the team via consultations@naturalengland.org.uk.

Yours sincerely,

Laura Tyndall
Sustainable Development
Yorkshire and Northern Lincolnshire Area Team

Summary of Natural England's advice

Natural England is not yet satisfied that it can be ascertained beyond reasonable scientific doubt that the project would not have an adverse effect on the integrity of the following internationally designated sites.

- Humber Estuary Special Protection Area (SPA)
- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Ramsar
- Thorne Moor SAC
- Thorne and Hatfield Moors SPA

Internationally designated sites

- Potential loss/ damage to designated habitats (NE0) ('amber')
- Loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites (NE1-NE6, NE8) ('amber')
- Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites (NE7 and NE9) ('amber')
- Potential lighting impacts to qualifying bird features of the listed SPA site (NE10) ('green')
- Potential hydrological impacts to SAC features (NE11) ('amber')
- Potential air quality impacts to SAC features (NE12) ('green') (NE13) ('grey' – See Appendix 1)
- Potential abstraction impacts resulting from Horizontal Directional Drilling (HDD) ('amber') (NE14)
- Potential water quality impacts during construction and operation (NE15, NE17-NE18) ('amber') (NE16) ('green')
- The in-combination assessment (NE19) ('amber').

Nationally designated sites

- Potential impacts on the Humber Estuary SSSI designated features (NE20) ('amber')
- Potential impacts on Thorne, Crowle & Goole Moors SSSI designated features (NE21) ('amber')
- Potential impacts on the Hatfield Chase Ditches SSSI designated features (NE22) ('amber')

Protected Species

- Protected species – Otter (NE23a) ('green')
- Protected species – Badger (NE23b) ('green')
- Protected species – Bats (NE23c) ('green')
- Protected species – Great crested newt (NE23d) ('amber')
- Protected species – Water vole (NE23e) ('green')
- Protected species – Breeding birds (NE23f) ('grey')

Biodiversity Net Gain (BNG)

- Biodiversity Net Gain (NE24) ('grey')

Soils and best and most versatile agricultural land

- Comments on *Appendix 15.1: Agricultural Land Classification Report* (NE25a) ('grey')
- Comments on the *Outline Soil Management Plan* (NE25b) ('grey')

Biodiversity enhancement

- Advice regarding the management of solar farms to enhance biodiversity (NE26) ('grey')

Ancient woodland and ancient/veteran trees

- General advice (NE27) ('grey')

PART I: Summary and conclusions of Natural England's advice

PART II: Natural England's detailed advice

PART III: Natural England's comments on the Development Consent Order (DCO)

Part I: Summary and conclusions of Natural England's advice

- 1.1 Natural England's advice in our response to Deadline 3 is based on information submitted by RWE Renewables UK Solar and Storage Limited (*the Applicant*) in support of its application for a Development Consent Order ('DCO') in relation to Tween Bridge Solar Farm (*the project*).
- 1.2 Natural England's comments are based on a review of the updated documents (as submitted at Deadline 2 and/or amended 08 June 26) most relevant to our statutory purpose.
- 1.3 Natural England highlights that although several key issues previously raised in our Relevant Representations consultation have not yet been resolved, there has been progress made across several issues. We have been positively engaging with the Applicant on these issues and will continue to engage with them to ensure that these issues can be progressed and resolved as soon as possible.
- 1.4 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.
- 1.5 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
 - Soils and best and most versatile agricultural land
 - Ancient woodland and ancient/veteran trees
- 1.6 Our comments are flagged as red, amber, yellow, green or grey:
- **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 impacts of the project and allow the Examining Authority to properly undertake its task and/or where further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy.
 - **Yellow** are those where Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process. However, we reserve the right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not

¹ [Nationally Significant Infrastructure Projects \(NSIP\): Advice on working with public bodies in the infrastructure planning process, Annex C: Natural England and the Planning Inspectorate - GOV.UK](#) sets out Natural England's role in infrastructure planning.

raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.

- **Green** are those which have been successfully resolved (**subject always to the appropriate requirements being adequately secured**).
- **Grey** are notes for Examiners and/or competent authority.

1.7 Natural England has been working with consultants on behalf of RWE Renewables UK Solar and Storage Limited to provide advice and guidance on the Tween Bridge Solar Farm project since 2024 through Natural England's Discretionary Advice Service. Natural England has agreed to attend meetings with the Developer with a view to progressing Statements of Common Ground as part of the Examination process and to try to resolve outstanding issues ahead of the Examination.

1.8 Part I provides an updated overview for Deadline 3 of the issues and a Summary of Natural England's advice. Part II contains Natural England's detailed comments regarding the main issues which it considers will continue to need to be addressed by the Secretary of State. Part III contains Natural England's updated comments for Deadline 3 on the draft Development Consent Order (DCO) and associated documents.

1.9 Part II of these representations sets out all the significant issues which remain outstanding as at Deadline 3, and which Natural England advises should be addressed by RWE Renewables UK Solar and Storage Limited and the Examining Authority within the Examination in order to ensure that the project can properly be consented. These are primarily issues on which further information would be required in order to allow the Examining Authority properly to undertake its task or where further work is required to determine the effects of the project and to develop mitigation proposals and to potentially consider compensation proposals to provide a sufficient degree of confidence as to their efficacy.

1.10 Natural England will continue discussions with RWE Renewables UK Solar and Storage Limited to seek to resolve these concerns and agree outstanding matters in a Statement of Common Ground. Failing satisfactory agreement, Natural England advises that the matters set out as 'amber' issues in Part I and II will require continue to require consideration by the Examining Authority as part of the examination process.

1.11 Natural England's advice is that there are a number of matters which have not yet been resolved satisfactorily within the Examination process that must be addressed by RWE Renewables UK Solar and Storage Limited and the Examining Authority as part of the Examination and consenting process before development consent can be granted, as summarised in Section 2 above and outlined in further detail in Part II below.

1.12 Some of these matters are important enough to mean that if they are not satisfactorily addressed it would not be lawful to permit the project due to its impacts on SAC, SPA, Ramsar and SSSI interests. The specific concerns in relation to each are detailed in Part II.

Part II: Natural England’s updated advice for Deadline 3

3. Natural England’s detailed advice

3.1 Part II, Table 1 of these representations expands upon the detail of all the significant issues (‘amber’ issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Table 1 also shows ‘green’, ‘yellow’ and ‘grey’ issues. Please refer to Part 1 for definitions of these.

3.2 Natural England will continue engaging with the Applicant to seek to resolve outstanding concerns through the Examination. Natural England advises that the matters indicated as ‘amber’ will continue to require consideration by the Examining Authority during Examination.

Natural England’s updated advice for Deadline 3, Part II, Table 1

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Risk Red, Amber, Green, Grey
NE0	International designated sites <ul style="list-style-type: none"> • Thorne Moor SAC • Thorne and Hatfield Moors SPA 	Potential loss/damage to designated habitats (C) and (O)	<p>We previously welcomed that no works are scheduled within the 0.54ha of land within the SAC/SPA/SSSI and advised this should be suitably secured via the DCO/ associated plans. We welcome that clarification has been provided in the updated Statement of Common Ground (SoCG) (Revision 2) that this will be secured through Requirement 8 of the Development Consent Order (DCO), which will secure the habitat protection buffers (which prohibit works within retained sensitive areas), as detailed in the outline Ecological Construction Management Plan (oECMP).</p> <p>We welcome that, as stated in the oECMP Table 3-2, that Thorne Moor SAC and Thorne and Hatfield Moors SPA are defined as biodiversity protection zones, however as per detail in 3.2.1, it states that although these areas will be subject to strict exclusion of construction activities, exceptions can otherwise be agreed with the Ecological Clerk of Works (ECoW). We advise that further information should be provided around potential exceptions to ensure that construction works within the designated site are avoided.</p>	Amber

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Risk Red, Amber, Green, Grey
NE1a (NE1 - NE6)	International designated sites <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	Loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites <i>Mitigation strategy</i> (C) and (O)	<p>Please note that this section (NE1a) now comprises all updated advice for previous sections NE1 - NE6, as these all relate to the proposed mitigation strategy for loss of FLL for the Humber Estuary SPA/Ramsar.</p> <p>We welcome that the outline Non-Breeding Bird Mitigation Strategy (oNBBMS) (Rev 3) contains more detail in 2.26 - Table 3b around the proposed design, and enhancement/management measures, for each parcel. We welcome that the outline Landscape and Ecological Management Plan (oLEMP) (Rev 4) has also been updated to reflect this. We advise however that more detail should be provided to demonstrate how the management prescriptions will lead to adequate capacity and sufficient core areas for the target SPA species. There must be confidence that the mitigation strategy can deliver for the target species and support bird numbers recorded pre-construction (i.e. in the 22/23 and 23/24 surveys).</p> <p>We note the addition of Table 4 of the NBBMS which highlights mitigation parcels that incorporate 150m buffers and/or are 600m away from existing wind turbines. It is stated in 2.83 that “...over 44.89ha of core mitigation land can be provided beyond 150m of any barriers”, with “...an additional 142.44ha of land that will be available and managed for the benefit of non-breeding birds within 150m of solar arrays and which contributes to the overall mitigation strategy.” We welcome this detail and the consideration of these factors in defining core mitigation land. However, we advise that the overall suitability of the mitigation strategy for <u>each of the relevant target species</u> should be provided, considering factors such as:</p> <ul style="list-style-type: none"> • Habitat quality on site • Records of usage of existing fields of similar size within the bird survey results • Boundary features / adjacent development • Presence of suitable adjacent habitat (<i>for example, if adjacent habitat is suitable and there are no significant boundary features, a buffer may be less significant than if a mitigation area is adjacent to solar panels/ other built infrastructure</i>) • Consideration of the potential for additional monitoring or management which could help provide certainty that the mitigation areas will provide a sufficient food source. <p>The above assessment should give an overall conclusion as to whether there is adequate mitigation land across the Order Limits to support the target species. It should also determine whether any additional mitigation land and/or whether different management prescriptions should be considered in any parts of the site.</p>	Amber

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Risk Red, Amber, Green, Grey
			<p><u>Comments on design and management of mitigation parcels</u></p> <p>We note that 2.26 – Table 3b suggests that Mitigation Parcels 11, 12, and 13 provide “...a large, connected area over 77ha that would not be ‘encompassed’ by solar development and are relatively open. These compartments are located in one connected area and would allow the birds to move around between seasons and within seasons, depending on the specific ground conditions.” We advise further detail is provided around whether the connectivity between these parcels is sufficient to provide the larger connected area referenced, as <i>Figure 1: Non-Breeding Bird Mitigation Plan</i> demonstrates that M11 and M13 appear to be connected to M12 by a narrow corridor only. We also recommend that assessment should include details of the adjacent habitat for M11, 12 and 13, and whether any land use change is proposed. Suitable adjacent habitat can potentially increase the functionality of a mitigation area, and this can be considered in the overall assessment. Detail should be provided as to whether these parcels will be open or enclosed.</p> <p>We note that across various parcels, taller areas of grassland are proposed on the margins to provide foraging habitat for geese. We advise more detail should be provided on the proposed sward length of these margin areas, and how much these will contribute to the available habitat for geese. At present we note that the M15 parcel appears to be the only parcel managed specifically for geese, with arable rotation and potential use of sugar beet where possible. Based on high peak counts of pink-footed geese, we recommend that consideration should be given as to whether any other parcels should be managed more specifically for geese. We also recommend that assessment should include details of the adjacent habitat for M15 and whether any land use change is proposed. Suitable adjacent habitat can potentially increase the functionality of a mitigation area, and this can be considered in the overall assessment. Detail should be provided as to whether the parcel will be open or enclosed.</p> <p>We welcome that additional detail has been provided around management prescriptions for waders, such as shorter sward areas (of approximately 5cm) and incorporation of scrapes. In particular we note the addition of scrapes in <i>Figure 1 – Non-Breeding Bird Mitigation Plan</i>, with some detail provided around the scrapes in the management sections of the oLEMP, including details of potential for water retention in 6.57, 6.65 and 6.71, where it is stated that the areas comprise of clay soils. We continue to recommend that an assessment of the existing drainage regime to determine the ability of the fields to hold sufficient water should be provided. Overall, there must be certainty that adequate water levels can be achieved to create the proposed habitat measures.</p> <p>We welcome that there is some detail provided in the M11, 12 and 13 management sections around scrape design, but advise that further details of how management measures will take place should be provided. This should link back to how these management measures will ensure adequate available resources for the relevant species.</p>	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Risk Red, Amber, Green, Grey
			<p><u>Monitoring/management, targets, and remedial measures</u></p> <p>We welcome that the oLEMP now states in 1.2.1 that the “...initial habitat interventions and subsequent long-term management of habitats” will be in place “...for the operational lifetime of the Scheme (40 years)”.</p> <p>As previous, we advise that all details provided in the oNBBMS should also be adequately detailed and secured via the LEMP.</p> <p>We note, as per the above section, that additional information around management for each parcel has been provided. Alongside the above information, we also advise that it should be clarified how management will take place. For example, will low density sheep/livestock grazing be used only at specific times (e.g. as remedial measures), or will this be a regular feature of management.</p> <p>We note the addition of the Section 7 – Monitoring, in the oLEMP and the updates in relation to a minimum bird monitoring approach in 7.16, 7.17 and 7.19. We welcome this approach and advise this should be secured in the final oLEMP. We advise that Natural England should be included as a consultee on the monitoring reports submitted to the Local Planning Authority (LPA), where the site is failing its targets.</p> <p>We note that 7.18 of the oLEMP states that monitoring results will be compared with the original baseline survey data, although no specific target numbers of birds are proposed to be identified as part of this monitoring. It is stated that “...the main focus of monitoring will be to ensure that the habitat requirements of the target species are being met, with the data from the monitoring bird surveys to inform any changes required in management prescriptions and any remedial measures needed, such as whether birds are avoiding certain areas due to sight lines or sward heights.” Although we note that the Applicant is not considering specific bird targets, we advise that should monitoring indicate a decline in bird numbers below the pre-construction baseline (i.e. non-breeding bird survey results across 22/23 and 23/24), that options for management and remedial measures should be clearly defined at this stage, alongside any relevant habitat targets.</p> <p>We note some detail has been provided around remedial measures, for instance in Table 4-1: Habitat Management by Type. However, we advise this should include more detail around the types of interventions that will be employed if the site is failing to meet pre-construction baseline levels. This can include how invertebrate numbers could be increased by interventions such as muck spreading, grazing animals or other locally appropriate methods.</p>	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Risk Red, Amber, Green, Grey
			<p><u>Construction phasing</u></p> <p>We welcome the additional information relating to construction phasing in 6.9 to 6.15 of the oLEMP. It is noted in 6.9 that “...mitigation parcels will be created prior to the commencement of each relevant construction phase”, however, it is not clear whether this means they will be fully functional and available for use. We request further clarification is provided around this point, alongside whether pre-construction monitoring of mitigation areas by a suitability qualified ecologist will take place to ensure suitable establishment.</p> <p><u>Permissive footpaths in mitigation area</u></p> <p>We acknowledge that the Applicant is not considering parcel M1a as a ‘core’ aspect of the non-breeding bird mitigation strategy (as per information in section 2 of the oNBBMS). However, we note that additional information has been provided in the oNBBMS and oLEMP in relation to management of this parcel for the benefit of SPA birds and the incorporated permissive footpath. We also note the recent non-material change (accepted into Examination on 16 June 2026) has also reduced the size of this parcel due to the presence of adjacent registered common land and Countryside and Rights of Way Act 2000 access land.</p> <p>We note that this parcel continues to include a permissive footpath and welcome that some additional information has been provided in relation to this, including that this will be mown and fenced. We advise that further information should be provided as to whether positive signage will also be considered, as detailed in our relevant representation’s response.</p> <p>If the parcel is managed for non-breeding SPA birds, the footpath should be well-screened to reduce disturbance. We advise further detail on the fencing/screening to be used is provided, and whether this will be effective. We would also recommend that consideration is given to the location of the footpath if possible. For example, is there any potential for the path be re-routed to the edge of the parcel.</p>	

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Risk Red, Amber, Green, Grey
NE7	International designated sites <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary Ramsar 	Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the Humber Estuary SPA/Ramsar sites. (C)	<p>We welcome the updated noise contour plots (Figures 13.3 and 13.4 - both updated May 2026) that were submitted for Deadline 2. We note the units of measurement as dB(A), and we require further clarification as to whether these are plots of LAeq values.</p> <p>We note that the assessment here does not provide sufficient information to fully understand the potential for disturbance, particularly in relation to peak noise events. To understand peak noise levels and the repetition rate of peak noises over a period of time, we suggest L_{Amax} and/or L_{Apeak} levels are also assessed, in addition to LAeq, in particular for construction activities which are likely to lead to loud bangs such as piling or HDD. This should also consider this in the context of any key sensitive areas identified through the bird survey results/ the location of mitigation areas.</p> <p>The above will help to understand both average and maximum levels, as each can affect behaviour. We also advise that the assessment should explicitly consider the character of the noise such as consistent or sudden loud bangs etc, rather than relying solely on averaged noise levels, as these characteristics are particularly relevant when assessing behavioural disturbance to birds.</p> <p>We note there are stronger commitments in the HRA around providing noise mitigation measures (e.g. hoarding/hessian mesh on the perimeter Hessian fence, as detailed in section 7.2.59 of the HRA), however, we advise that further clarity is provided around how the Ecological Clerk of Works (ECoW) will determine when the requirement for mitigation has been reached. Overall, it should be determined whether all proposed measures will sufficiently reduce potential noise and visual disturbance impacts in any relevant sensitive areas.</p>	Amber
NE8	International designated sites <ul style="list-style-type: none"> • Thorne and Hatfield Moors SPA 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites.	<p><u>Displacement/ disturbance impacts to functionally linked land</u></p> <p>We previously advised that to minimise potential displacement impacts and ensure that nightjar are able to forage along the site's hedgerows, adequate margins should be provided between the panels and hedgerows.</p> <p>We note point 7.2.74 of the updated sHRA, which states that 'permanent grass margins to the fields measuring a minimum 2 metres' will be built into the design. As stated previously, we advise that 2-metre margins are relatively narrow for a solar PV site and may not be sufficient to mitigate potential impacts to nightjar.</p>	Amber

		(C) and (O)	However, we welcome the additional information shared with Natural England via email dated 17 June 2026 demonstrating that the majority of areas are significantly above the 2m buffer around the northern boundary of the site, with buffer sizes between 5 to 10m. We advise this information, and further details of the distribution of more significant field margins, should be included in the sHRA, and used to determine whether these are now adequate to prevent impacts to foraging nightjar.	
NE8a	International designated sites Thorne and Hatfield Moors SPA	Potential collision risk for nightjar using FLL. (O)	We welcome the inclusion of monitoring of bird carcasses in order to monitor any increase in incidences of collision set out in section 7.23 of the oLEMP. We request that details of the planned remedial measures are provided for further assessment. We acknowledge the points presented in the Statement of Common Ground with Natural England (dated 21 May 2026). We agree that collision risk can be reduced through the pre-existing scheme design, including appropriate panel height, layout and spacing, and the provision of habitat buffers and enhancements. In addition to operational monitoring of disruption to nightjar flight pathways and bird collisions, as above, we advise that details of the remedial measures to be undertaken, should be outlined in the oLEMP.	Amber
NE9	International designated sites • Thorne and Hatfield Moors SPA	Potential noise and visual disturbance impacts to qualifying bird features of the listed SPA site. (C)	As noted in NE7, we welcome the updated noise contour plots (Figures 13.3 and 13.4 - both updated May 2026) that were submitted for Deadline 2. We note the units of measurement as dB(A), and we require further clarification as to whether these are plots of LAeq values. We note that the assessment here does not provide sufficient information to fully understand the potential for disturbance, particularly in relation to peak noise events. To understand peak noise levels and the repetition rate of peak noises over a period of time, we suggest LAm _{ax} and/or LA _{peak} levels are also assessed, in addition to LA _{eq} , in particular for construction activities which are likely to lead to loud bangs such as piling or HDD. This should also consider this in the context of any key sensitive areas for nightjar. The above will help to understand both average and maximum levels, as each can affect behaviour. We also advise that the assessment should explicitly consider the character of the noise such as consistent or sudden loud bangs etc, rather than relying solely on averaged noise levels, as these characteristics are particularly relevant when assessing behavioural disturbance to birds. Natural England welcomes the clarification regarding buffer distances set out in the oECMP (section 3.3.34). This highlights that no construction works are to take place within 150m of Thorne and Hatfield Moors SPA within sensitive periods between April and August. This should be in addition to other noise mitigation measures, as relevant, such as those set out in 3.3.35. We note there are stronger commitments in the HRA around providing noise mitigation measures (e.g. hoarding/hessian mesh on the perimeter Hessian fence, as detailed in section 7.2.59 of the HRA), however, we advise that further clarity is provided around how the Ecological Clerk of Works (ECoW) will determine when the requirement for mitigation has been reached.	Amber

			Overall, it should be determined whether all proposed measures will sufficiently reduce potential noise and visual disturbance impacts in any relevant sensitive areas.	
NE10	International designated sites <ul style="list-style-type: none"> • Thorne and Hatfield Moors SPA • Humber Estuary SPA 	Potential lighting impacts to qualifying bird features of the listed SPA site. (C) and (O)	<u>Lighting impacts</u> We welcome that the updated sHRA assesses the potential increase in light spill to Thorne and Hatfield Moors SPA, and FLL to the Humber Estuary SPA, and demonstrates there will not be a net increase in light spill to these once mitigation is applied. Mitigation measures outlined in section 7.2.47 of the sHRA include: no construction works after dusk, shorter hours in the winter, and the use of cool LED lamps avoiding the lighting of hedge rows where required. We recommend the mitigation for light spill is clearly stated in the Ecological Construction Management Plan, making specific reference to the management of light spill impacts to relevant SPA species. Subject to this update, we can confirm this issue can be moved to 'green' status.	Green
NE11	International designated sites <ul style="list-style-type: none"> • Thorne Moor SAC 	Hydrological impacts to SAC features / Proposed management of mitigation area M1(A) (C) and (O)	<u>Proposed management of mitigation area M1(A) (in relation to Thorne Moor SAC)</u> We welcome that further detail around the proposed management of M1(A), which is adjacent to Thorne Moor SAC. We note that the management prescriptions in the oLEMP to manage the site as grassland do not conflict with managing impacts to, and allowing for potential future enhancements of, the hydrology of Thorne Moor SAC. However, as detailed in our Relevant Representations response we also re-state the following principles for consideration: <ul style="list-style-type: none"> • Maintaining higher water levels within the southern permitter ditch of the SAC would lead to a reduction in the hydrological gradient and improved water retention within the SAC. • The reprofiling the old peat cuttings along the boundary of mitigation parcel M1(A) boundary to create a gentler peatland slope would reduce sub-surface seepage from the deep peat immediately to the east, reducing future erosion. Blocking the boundary ditch at each end and reprofiling the peatland edge would have a positive effect on the SAC feature. This would potentially raise the water table for the wider parcel, creating damp grassland to benefit non-breeding waders. In relation to management of M1(A) in regards of impacts and potential future enhancements of the hydrology of Thorne Moor SAC, we advise that this aspect of the issue is resolved. However please also note our comments in NE1a in relation to potential impacts of the footpath on the suitability of the site for SPA birds. Additionally, we note the statement in the SoCG (Rev 2) as follows ' <i>...the Applicant is also proposing that this land is transferred to Natural England, or another appropriate body, to enable its long-term management in accordance with the conservation objectives of the designated site, although understand that previously this was not considered feasible due to Natural England's lack of resources.</i> ' We will continue discussions with the Applicant about the feasibility of this separately and will provide any updates as necessary. We will maintain this as an open issue whilst discussions are ongoing.	Amber

NE12	International designated sites <ul style="list-style-type: none"> • Thorne and Hatfield Moors SAC 	Air quality impacts to SAC features (C)	<u>Dust impacts on SAC features</u> The HRA now includes assessment of potential impacts from dust, referencing the adoption of the Outline Ecological Construction Management Plan as mitigation for potential dust impacts in Table 7-2. We also note that sections 3.3.16 to 3.3.21 of the oECMP now include additional measures but note that these measures are only referenced for Thorne and Hatfield Moors (SPA) for breeding nightjar. We advise the HRA should include all relevant construction phase impacts for the SAC, as for the SPA. However, subject to this update we consider that the measures outlined for dust will be sufficient for preventing adverse impacts.	Green
NE13	International designated sites <ul style="list-style-type: none"> • Thorne and Hatfield Moors SAC 	Air quality impacts to SAC features (C)	Natural England has now changed its approach to responding to air quality impacts and we have attached our standard advice on NSIPs (Appendix 1). You should review any further information received in line with Natural England’s advice to assess the application. This standard advice is Natural England’s formal statutory advice. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on NSIP applications with potential air pollution impacts. Any overall conclusion regarding impacts on statutory protected sites must take into account the standard advice for air pollution.	Yellow
NE14	International designated sites <ul style="list-style-type: none"> • Humber Estuary SPA • Humber Estuary SAC • Humber Estuary Ramsar • Thorne Moors SAC • Hatfield Moors SAC • Thorne and Hatfield Moors SPA 	Potential abstraction impacts resulting from Horizontal Directional Drilling (HDD) (C)	We note that the information in the latest Outline Ecological Construction Management Plan (oECMP) continues to state that “...no water abstraction from ditches is expected.” However, no further details have been provided in the HRA regarding where water required for HDD will be sourced. We advise that the source of this water should be clarified. If water is to be sourced from a local watercourse, the potential impacts to the Humber Estuary and Thorne and Hatfield Moors designated sites should be assessed in the HRA, where relevant.	Amber

NE15	International designated sites <ul style="list-style-type: none"> • Humber Estuary SAC/SPA/ • Ramsar • Thorne Moors SAC • Hatfield Moors SAC • Thorne and Hatfield Moors SPA 	Potential water quality impacts - construction (C)	<p>In our Relevant Representations response, we advised that further detail on water quality impacts during construction, and proposed mitigation, should be assessed in the HRA for the relevant designated sites.</p> <p>We note that mitigation measures related to contaminated run off are outlined within the oECMP and continue to advise that the relevant measures to prevent impacts to water quality of the listed designated sites should be detailed and assessed in the HRA, where relevant.</p>	Amber
NE16	International designated sites <ul style="list-style-type: none"> • Thorne Moors SAC • Hatfield Moors SAC • Thorne and Hatfield Moors SPA • Hatfield Chase SSSI 	Potential water quality impacts - construction (C)	<p><u>Horizontal Directional Drilling - Bentonite breakout</u></p> <p>We welcome that additional detail has been provided in 7.2.61 of the HRA around bentonite breakout, and the following is included in 7.2.62: <i>“Further details regarding HDD breakout will be included within a HDD Method Statement that will form part of the final Construction Environmental Management Plan(s).”</i> Subject to Natural England being consulted as a statutory consultee on the bentonite breakout plan to be produced, we advise this issue can be moved to ‘green’.</p>	Green
NE17	International designated sites <ul style="list-style-type: none"> • Thorne Moors SAC • Hatfield Moors SAC • Thorne and Hatfield Moors SPA 	Potential water quality impacts - operation (O)	<p><u>Cleaning of solar PV modules</u></p> <p>We note the update in 7.2.35 of the HRA as follows: <i>“Furthermore, solar PV modules will be cleaned using de-ionised water, with no chemicals used in the cleaning process, unless required in an exceptional case in discrete areas. As such, the cleaning of panels will not result in impacts to water quality or any designated sites.”</i> We welcome the confirmation that solar PV modules will be cleaned using de-ionised water. However, we advise that clarity should be provided around how water quality impacts to designated sites will be prevented in these exceptional cases where cleaning substances would be used.</p>	Amber

NE18	International designated sites <ul style="list-style-type: none"> • Humber Estuary SAC • Humber Estuary Ramsar • Thorne Moors SAC • Thorne Moors SAC 	Potential water quality impacts - operation (O)	Firefighting water runoff We welcome that the Applicant references the outline Battery Safety Management Plan in the SoCG (Rev 2), which “...includes provision for the development of a drainage strategy post consent to ensure that firefighting water runoff is retained on site and cannot be released to the wider environment until it has been tested for potential contamination.” We request that further information is provided around whether a sealed system, with any firefighting water then removed from site, is to be considered.	Amber
NE19	International designated sites <ul style="list-style-type: none"> • Humber Estuary SAC • Humber Estuary Ramsar • Thorne and Hatfield Moors SAC • Thorne and Hatfield Moors SPA 	In-combination assessment (C and O)	We welcome the addition of the in-combination assessment table in Appendix 6 in the HRA. We would advise, however, that a written summary is also provided highlighting the key points and providing a conclusion on in-combination impacts. It remains our advice that for impact pathways taken through to appropriate assessment, detailed in combination assessment should be made at this stage also. In relation to in-combination impacts on functionally linked land, please note that impacts of the project ‘alone’ are still under discussion. We can provide further comments on the in-combination assessment, once the additional assessment of impacts of the project alone is complete. We previously advised that mitigation area M15 is within relatively close proximity to the proposed North Humber to High Marnham overhead powerline development. We welcome that potential in-combination impacts have been assessed for this, and concur that based on the information provided in pages 117-118, that in-combination impacts can be ruled out.	Amber
NE20	Nationally designated sites <ul style="list-style-type: none"> • Humber Estuary SSSI 	Potential impacts on the Humber Estuary SSSI designated features (C) and (O)	Our advice regarding impacts on the Humber Estuary SSSI coincides with our advice regarding the Humber Estuary SPA/SAC/Ramsar.	Amber

NE21	Nationally designated sites <ul style="list-style-type: none"> Thorne, Crowle & Goole Moors SSSI 	Potential impacts on Thorne, Crowle & Goole Moors SSSI designated features (C) and (O)	<p>Our advice regarding Thorne, Crowle & Goole Moors SSSI broadly coincides with our advice for Thorne Moor SAC and Thorne & Hatfield Moors SPA.</p> <p>However, as previous, we highlight that Thorne, Crowle & Goole Moors SSSI is designated for additional features including assemblages of breeding birds (mixed: lowland damp grassland, lowland heath, scrub, woodland) and invertebrate assemblage.</p> <p>We welcome the addition of sections 7.5.73 to 7.5.77 in the Environmental Statement Chapter 7 in relation to Thorne, Crowle & Goole Moors SSSI. This concludes that with mitigation as outlined in the oECMP, impacts are considered to be 'negligible', but 'not significant' during construction. We note this does not include the previously requested specific assessment of potential impacts on SSSI breeding birds and invertebrate features.</p> <p>In particular, we advise that there should be further consideration of whether the buffers in which no panels are to be sited along the boundary of the SSSI are wide enough to minimise the loss of foraging resource for SSSI assemblage species.</p> <p>As noted previously, we advise that the impact of the introduction of 50 honeybee hives on the SSSI invertebrate assemblage should be assessed, including the potential for increased competition for foraging resource.</p>	Amber
NE22	Nationally designated sites <ul style="list-style-type: none"> Hatfield Chase Ditches SSSI 	Potential impacts on the Hatfield Chase Ditches SSSI designated features (C)	<p>We welcome the addition of sections 7.5.78 to 7.5.87 in the Environmental Statement Chapter 7 in relation to Hatfield Chase Ditches SSSI. This concludes that with protection measures in place, impacts are considered to be 'negligible', but 'not significant' during construction. We note it is also confirmed that the one location where HDD will be required under the ditch for a cable route in Area E is designed to avoid the Hatfield Chase drain. Based on this information confirming avoidance of the SSSI, we consider there will be no impact to the SSSI from HDD.</p> <p>However, we note that water quality measures to prevent pollution of Hatfield Chase Ditches are referenced within this assessment from the oECMP. We advise that the key measures should also be detailed within this part of the ES chapter to ensure they will be adequate.</p> <p>We acknowledge that the protected species – water vole section below is now 'green'. However, we also recommend that it is specified in this section how impacts to the SSSI water vole feature will be avoided.</p>	Amber
NE23	Protected Species	General comments	Natural England advise that protected species surveys should be undertaken in line with best practice guidance. Where alternative methods are proposed, information should be provided regarding why best practice is not being followed, what changes have been made, what alternative sources of data and/or certainty and being used/relied upon, and how the bespoke approach relates to the impact assessment and mitigation proposals.	Grey

			<p>It is the responsibility of the person or organisation undertaking the works to make the decision as to whether a protected species licence will be required, typically based on advice from a consultant ecologist and based on appropriate consideration of survey data, specialist knowledge of the species concerned, the specific nature of the works and the habitats present.</p> <p>If the proposed works are likely to result in an impact to a protected species and/or their habitats, and such impacts cannot be avoided or appropriately mitigated for, then a protected species licence will likely be required to cover activities that would otherwise constitute an offence under the relevant legislation.</p> <p>If an individual or organisation chooses to proceed without a licence, and/or in accordance with the measures within a Precautionary Working Method Statement (PWMS), then Natural England advises that such persons document their decision-making process and outline the measures that will be taken to avoid committing an offence. Natural England does not provide commentary on, or approval for, PWMS approaches.</p> <p>It should be noted that if works are carried out under a non-licensed Method Statement and a protected species is subsequently identified on site, all works must cease immediately, and Natural England must be contacted to obtain the appropriate licence.</p>	
NE23a	Protected species	Protected species – Otter	<p>The Otter and Water Vole Survey Report [APP-077] highlights that the surveys were constrained due to a number of reasons, including not being able to access all water bodies. From review of Figure 1 of the Otter and Water Vole Survey Report [APP-077], it is unclear where the restrictions were, although we note that no details are provided on surveys outside of the redline boundary. Whilst Natural England recommend that otter surveys should be completed within 200m of the proposed works, in line with best practice guidance, overall, due to the limited nature of impacts from the development on habitat suitable for otter, we advise that in this case, the survey approach followed is not considered a significant constraint.</p> <p>Natural England note that no evidence of otter was recorded within the site limits in 2025. We therefore advise that the proposed mitigation, such as retention of all ditches, and buffering, are considered appropriate in this case.</p> <p>We welcome the commitment to undertaken pre-construction surveys, and advise that the methodology proposed is considered appropriate, based on the existing survey data and potential impacts.</p> <p>Natural England welcomes the confirmation provided in the Outline Ecological Construction Management Plan [REP2-068] that works in the vicinity of otter habitat will be avoided during the hours of darkness and within 2 hours after sunrise and 2 hours before sunset, with this reduced to one hour between November to February (inclusive) because of the limited daylight. It is additionally welcomed that where ditch management and improvement are proposed, a suitably qualified ecologist will survey the area prior to works to ensure no impacts on protected species are likely to occur.</p> <p>Natural England advise that this point is now resolved.</p>	Green

NE23b	Protected species	Protected species - Badger	<p>The Outline Ecological Construction Management Plan [REP2-068] confirms that updated badger surveys will be undertaken prior to the works commencing, in order to record recent signs of badger activity in the Order Limits and evidence of badger setts. Natural England recommend that these surveys should be undertaken in line with best practice guidance. We recommend that the additional surveys are planned to allow sufficient time for a licence application to be submitted and assessed (if required) before works need to begin. Please note that Natural England will expect updated surveys to have been completed if the survey data is 6 months or older in age at the time at which a licence application is formally submitted. Please refer to our Relevant Representations [RR-023] for further advice regarding submitting a licence application, should this be required.</p> <p>Natural England welcomes the confirmation provided in 8.2 Response to Relevant Representations [REP1-043] that the locations of badger setts within the working area will be identified and appropriately marked, with relevant information communicated to the site personnel through toolbox talks and site inductions. We recommend that these talks should include informing them of the legal protections afforded to badgers, the locations of setts, actions to be taken if a badger is encountered and contact details for appropriate persons (including an ecologist with relevant experience of badger mitigation). This should be secured via the Ecological Construction Management Plan.</p> <p>Table 2-1 of the Design Parameters Document [REP1-012] confirms that panels will be a minimum clearance of 800mm from the ground, to enable badger movement. Natural England welcome this, and the confirmation provided in 8.2 Response to Relevant Representations [REP1-043] that mammal gates used throughout the order limits will be two-way. We advise that it should be ensured that this measure is appropriately secured through the oLEMP. We welcome that the Outline Landscape Ecological Management Plan confirms that these gates will be monitored at the same time as the habitat monitoring, to ensure that they are functioning appropriately.</p> <p>Natural England welcomes the confirmation provided in the Outline Ecological Construction Management Plan [REP2-068] that there will be a strict 30m limit for works with heavy machinery or ground investigations within 30m of a sett.</p> <p>Subject to the above measures being adequately secured, Natural England advise that this point is now resolved.</p>	Green
NE23c	Protected species	Protected species - Bats	<p>Natural England welcome that the bat activity surveys have been undertaken in line with best practice guidance, based on a low habitat suitability categorisation. We note that the proposed retention of hedgerows, ditch networks, ponds and woodlands will likely result in the avoidance of impacts on key foraging and commuting habitats within the development.</p> <p>The proposed management of lighting during construction, as noted in Section 3.3.25 of the Outline Ecological Construction Management Plan [REP2-068], is considered appropriate for this scheme. We recommend that any lighting installed during the construction and operational phases of the scheme should be in accordance with Guidance Note GN/08 Bats and Artificial Lighting at Night.</p> <p>It has been stated that if PRF-I trees require felling that Reasonable Avoidance Measures (RAMs) will be utilised. We welcome the confirmation provided in the Outline Ecological Construction Management Plan [REP2-068] that any categorisation of tree roost suitability will be conducted by a suitably qualified ecologist.</p>	Green

			Natural England advise that this point is now resolved.	
NE23d	Protected species	Protected species – Great crested newt	<p>Natural England advise that the current survey effort is insufficient to provide robust evidence of Great Crested Newt presence/absence across the scheme footprint, with it noted that almost half of the scheme’s ponds remain un-surveyed and inaccessible. As such, it is not currently possible to conclude that Great Crested Newts are absent from the site, and their presence cannot be ruled out in un-surveyed areas.</p> <p>To address this uncertainty, we recommend that further survey work should be undertaken. Where this is not possible, a precautionary approach should be adopted, whereby Great Crested Newts are assumed to be present in the areas of highest habitat suitability where there are historical records of the species.</p> <p>Natural England recommends that where access permission to land or waterbodies are denied, we would expect that an effort is made to repeat these access requests. Evidence should be retained to show what efforts have been made to seek access and, should a full licence application eventually be needed, Natural England may request to view these records.</p> <p>Where access is continually denied, or ponds continue not to be surveyable, Natural England recommend that alternative sources of information, such as historical records and terrestrial habitat mapping, should be used to assess the ‘reasonable maximum’ population of great crested newts that the un-surveyed parts of the site could support, with the scheme designed accordingly.</p>	Amber
NE23e	Protected species	Protected species – Water vole	<p>Natural England note that continued use of suitable ditches within the order limits by water vole was identified in the 2025 surveys. We advise that the proposed embedded mitigation detailed in the Outline Ecological Construction Management Plan [REP2-068], such as buffer distances, are considered appropriate and in line with best practice expectations.</p> <p>Natural England welcomes the commitment in the Outline Ecological Construction Management Plan [REP2-068] that updated water vole surveys will be undertaken prior to construction, along each watercourse within/adjacent to the relevant phase. We recommend that these should be undertaken in accordance with the Water Vole Mitigation Handbook and include coverage of the locations of the proposed 45 culverts. We welcome that where ditch management and improvements are proposed, a suitably qualified ecologist will survey the area prior to works to ensure no impacts on protected species are likely to occur.</p> <p>Natural England notes that Chapter 7: Ecology and Nature Conservation [REP2-035] states that 45 culverts will be installed for access tracks. We recommend that any culverts should be installed in line with the recommendations in the Water Vole Mitigation Handbook, where applicable. Subject to this being secured via the Ecological Construction Management Plan, Natural England advise this point is now resolved.</p>	Green

NE23f	Protected species	Protected species – Breeding birds	<p>Please note that this is a 'grey' issue which is a note for Examiners and/or the competent authority. However, we re-iterate our previous advice from our relevant representation's response for reference, as follows:</p> <p>The oLEMP states that skylark plots will be provided in accordance with Countryside Stewardship guidance. Care should be taken to ensure that the actions required for developing/managing skylark habitat work in conjunction with the requirements for wintering birds, given that the intention is to provide mitigation for both within the same plots.</p> <p>The advice provided in Section NE8 regarding the dimensions of field margins for foraging nightjar is relevant for creating/sustaining habitats for other breeding birds. Wider margins will provide greater foraging and nesting opportunities for breeding birds and is encouraged.</p> <p>When developing habitat for breeding birds, like skylark, we recommend that our advice provided in NE2 regarding setting objectives and targets for species should be applied. This is to ensure that habitat can be managed long term and adapted as need be.</p> <p>The assessment of impacts to skylark, and grey partridge, both of which occur in significant numbers on site, falls outside of Natural England's statutory remit. We advise that the applicant should consult with local stakeholders, including the Local Planning Authority, for advice regarding these species and breeding birds more broadly.</p>	Grey
NE24	Biodiversity Net Gain (BNG)	Biodiversity Net Gain	<p>As previously stated in our relevant representations response, Natural England welcomes the commitment to delivering Biodiversity Net Gain (BNG) on this project. We welcome that this commitment is reflected in the DCO (Requirement 8 (3a)) to achieve a minimum of at least 10% BNG across all biodiversity unit types, as to be secured via the Landscape and Ecological Management Plan (LEMP).</p> <p>As recommended previously, we consider that it would also be helpful to make the full BNG metric available for stakeholder review.</p> <p>Although BNG is not yet mandatory for NSIPs, we refer to additional information around BNG for NSIPs that has recently been published at: Biodiversity net gain: nationally significant infrastructure projects - GOV.UK.</p> <p>As previously noted, we note that the developer has deviated from the Defra biodiversity metric trading rules. Trading rules are established to ensure losses are compensated for through creating or enhancing habitats on a 'like-for-like' basis, and of equal or higher value. In this case scrub habitat is being lost and is being replaced with woodland. We note the updated BNG assessment (Rev 2) states in 3.21 that <i>"The trading rules for BNG have not been met in relation to loss of scrub as a broad habitat type, as scrub habitats are being lost without like-for-like replacement. However, woodland of the same distinctiveness as the required scrub habitat is being provided, which, while not the same broad habitat type, contributes positively to overall habitat quality. In addition, the scheme is delivering over a 10% net gain in biodiversity units."</i> We acknowledge that additional justification has been provided, however, it continues to be our advice that although BNG is not mandatory, BNG proposals should be in line with best practice guidance.</p>	Grey

			Following our previous comments around monitoring, we welcome that the updated oLEMP sections 7.1 and 7.2 contain commitment to additional monitoring of planting proposals.	
NE25a	Soils and best and most versatile agricultural land	Comments on Appendix 15.1: Agricultural Land Classification Report	<p>We welcome the inclusion of Natural England’s comments regarding potential permanent loss of BMV across access tracks.</p> <p>In relation to peaty soils, we note that an additional section has been provided in an updated OSMP – we will provide further comments following review.</p> <p><i>Please note that this is a ‘grey’ issue which is a note for Examiners and/or the competent authority. However, we re-iterate our previous advice from our relevant representation’s response for reference, as follows:</i></p> <p>Natural England notes that ‘The Order Limits consist of approximately 1,831 ha of agricultural land’ (page 4, HRA) and Appendix 15.1 Agricultural Land Classification (ALC) assesses the grading of 1848.2 ha.</p> <p>Natural England also note that section 15.3.43 of the ES states that the area involved in the installation of the cables ‘involves temporary disturbance’ and that ‘The works will involve only a small part of this area and soil survey can be completed at a later date once the corridor width has been defined, and can inform the final Soil Management Plan prior to construction works commencing.’</p> <p>Natural England re-iterates that a detailed ALC and soil survey of the agricultural land should be undertaken across the full Study Area. Our advice remains that this data should be provided prior to consent in order to inform decision making. Soil data collected as part of an ALC survey can also be used to inform the soil resource and management plan as set out in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Natural England advises that there is a risk of soil damage, ALC degradation and long term or permanent loss of BMV from cable installation (grid connection cable route). Therefore, soil will need to be handled according to best practice and reinstated to a high standard to reduce the impacts. The results from a detailed ALC survey would provide soils data to inform a soil management plan for the whole Site regardless of whether the use is permanent or temporary in nature. We advise, however, that the Examining Authority should determine whether the proposed approach is acceptable.</p> <p>Based on the information provided in the ALC survey, we highlight that the proposal has the potential to affect approximately 819.2 ha of BMV agricultural land (although the ES states this is as 813 ha).</p> <p>We also note that of the fixed infrastructure that covers BMV land, ‘all except 0.4ha will be restored at decommissioning.’ The impact is predicted to be ‘temporary and of low magnitude, and the overall effect is minor adverse, which is not significant’ (15.7.3 ES).</p>	Grey

			Natural England notes that the ALC report identifies the presence of peat in several sample locations across the Order Limits, with peat recorded at varying depths in the soil profile. The ES concludes that peaty soils were not identified at agricultural depth in a way that would influence ALC grading. However, Natural England advise that the presence of peat within the soil profile warrants consideration in terms of carbon storage, ecological sensitivity, and appropriate handling measures. We recommend that the ES should include a clear estimate of the volume of peat to be disturbed and an assessment of the potential impact on carbon sequestration, in line with the IEMA (2022) guidance, as previously committed to by the applicant.	
NE25b	Soils and best and most versatile agricultural land	Comments on the <i>Outline Soil Management Plan</i>	<p>We welcome the Outline Soil Management Plan (oSMP) now includes Natural England’s advice that all soils should be handled in a dry and friable condition and that it is expected that soil handling will be confined to the drier summer period (April through September) to minimise risk of soil damage. Soil handling should normally be avoided during October to March inclusive.</p> <p>Natural England welcomes the inclusion of recommended tests for soil handling in the OSMP section 3. Namely, soil handling methods should be as specified as in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks).</p> <p>Natural England welcome that the ‘implementation of this outline SMP, and adherence to its principles, will be the responsibility of the Applicant who will appoint a competent Principal Contractor who will implement onsite during the construction and decommissioning stages’. Given the high quality of the agricultural land, we recommend that this should include supervision of soil handling by a competent soil specialist.</p>	Grey
NE26	Biodiversity enhancement	Advice regarding the management of solar farms to enhance biodiversity.	<p><i>Please note that this is a ‘grey’ issue which is a note for Examiners and/or the competent authority. However, we re-iterate our previous advice from our relevant representation’s response for reference, as follows:</i></p> <p>Section 2.10 of the <i>National Policy Statement for Renewable Energy Infrastructure</i> (EN-3, 2024) highlights that solar farms have the potential to greatly increase the biodiversity value of a site, especially on land which was previously intensively managed.</p> <p>Research indicates that solar farms managed specifically for biodiversity show significant increases in plants, invertebrates, and birds, compared with sites which are not. Consequently, the implementation of good design and management on solar sites can result in significant environmental enhancements beyond that which is required through Biodiversity Net Gain.</p> <p>We welcome the enhancements which have already been proposed, though we advise that there may be further scope for biodiversity enhancement. Please refer to Annex G for further information regarding the management of solar farms to enhance biodiversity, which may help refine your plans.</p>	Grey
NE27	Ancient woodland and	Ancient woodland and	<p><i>Please note that this is a ‘grey’ issue which is a note for Examiners and/or the competent authority. However, we re-iterate our previous advice from our relevant representation’s response for reference, as follows:</i></p>	Grey

	ancient/veteran trees	ancient/veteran trees - General	Natural England has adopted <u>standing advice</u> for ancient woodland, which should be referred to. Natural England is not providing bespoke advice on the ancient woodland information provided in the ES for this project. The requirement for mitigation/compensation has not been assessed by Natural England.	
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Natural England's Relevant Representations

Part III: Natural England's comments on the draft Development Consent Order (DCO) and associated documents

Page	Topic/DCO Requirement	Natural England's comments
41-48	Requirements 1-22	Natural England welcomes the inclusion of draft Requirements relating to our remit, including Requirements 8, 10, 14 and 15. Please refer to our detailed advice on the associated draft plans in Part II of our Representations. We may have further detailed advice on the relevant plans, if further information is provided at a later stage.
43-44	Requirement 8 - Landscape and ecology management plan	We welcome that consultation with Natural England is now referred to in part 1 of Requirement 8. As per comments above, it should also be confirmed whether the additional details provided in the Outline Non-Breeding Bird Mitigation Strategy are adequately secured via the LEMP.
NA	Works within the designated sites	As detailed in NE0 above, we advise that the restriction to works within the Thorne Moor SAC, Thorne and Hatfield Moors SPA and Thorne, Crowle and Goole Moors SSSI designated site boundaries should be suitably secured via the DCO or associated plans.

Appendix 1 - Standard Advice for Air Quality Impacts in National 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
<p>Initial screening for credible risk of an effect</p>	<p>1</p> <p>Check Distance criteria - could significant emissions reach a protected site?</p> <p>Yes = move to Step 2</p> <p>No = no further HRA required</p>	<p>The Air Pollution Information System (APIS) includes an introduction to air pollution.</p> <p>APIS provides site specific information on the interest features of individual protected sites and the sensitivity to air quality impacts of those features.</p> <p>Please see Table 2 for industrial air pollution screening distances.</p> <p>For road traffic impacts, roads on the affected road network that lie within 200m of a designated site should be considered.</p> <p>Use Magic Map to check the location of designated sites. Search for the location then select the 'Designations' option.</p>
	<p>2</p> <p>Check if the qualifying habitats or supporting habitat of qualifying species are sensitive to air quality impacts.</p> <p>Yes = move to Step 3</p> <p>No = no further HRA required</p> <p>APIS Site relevant Critical Loads and Levels (based on literature and professional judgement) http://www.apis.ac.uk/src1</p> <p>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.</p>	<p>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.</p> <p>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).</p> <p>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</p>

			on the supporting habitat will have a negative effect on the notified species.
Detailed AQ modelling	3	<p>Undertake detailed modelling using a recognised dispersal model – i.e. Atmospheric Dispersion Modelling System (ADMS)</p> <p>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.</p>	<p>Air Quality modelling should include relevant scenarios that are clearly identified.</p> <p>One such example of scenarios is a baseline plus future forecasts as follows:</p> <p>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).</p> <p>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.</p> <p>At least 3 years of meteorological data should be included within the AQ modelling for sources other than for road transport modelling</p> <p>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</p>
Applying screening thresholds	4a	<p>Apply Screening Threshold Alone</p> <p>If below threshold alone, move to step 4b.</p> <p>If above = move straight to step 5</p>	<p>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>.</p> <p>If the process contribution is less than 1% of the relevant long-term benchmark (Environmental Assessment Level, Critical Level or Critical Load),</p>

			the emission is not likely to have a significant effect <u>alone</u> irrespective of the background levels.
	4b	<p>Apply Screening Threshold In-combination.</p> <p>If below threshold in-combination = no LSE/significant risk of damage etc and no further assessment required.</p> <p>If above = move straight to step 5</p> <p>Applicants might use the Joint Nature Conservation Committee (JNCC) 'decision-making thresholds' as a reason for not completing an in-combination assessment.</p> <p>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.</p> <p>If applicants have not used the decision-making thresholds, or have not followed them correctly, they will need to provide an in-combination assessment.</p>	<p>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</p> <p>If the combined 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>in-combination</u> irrespective of background levels.</p>
Detailed Assessment of ecological impacts	5	<p>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.</p> <p>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.</p> <p>For SSSIs, this step should provide all the information necessary, including any required mitigation, for the decision maker to</p>	<p>The following information is likely to be helpful for the decision maker:</p> <p>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?</p> <p>Check APIS Trends Tab for reasonable expectation on whether background pollution may be decreasing or not.</p>

		<p>determine if there would be an adverse effect on a SSSI.</p> <p>If Habitats Sites are impacted by the proposals, move to Step 6.</p>	<p>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.</p>
<p>Appropriate Assessment (AA) for habitats sites</p>	<p>6</p>	<p>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.</p> <p>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.</p> <p>Should compensation measures be required under derogation, please contact Natural England for specific advice.</p> <p>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</p>	<p>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.</p> <p>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.</p>

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 Monitoring² 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 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

² HYPERLINK "<https://jncc.gov.uk/our-work/common-standards-monitoring/>"Common Standards Monitoring | JNCC - Adviser to Government on Nature Conservation

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.