

Date: 22 September 2026
Our ref: 558101
Your ref: EN010148

Planning Inspectorate
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BY EMAIL ONLY



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Dear Inspector,

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

Natural England's comments for Deadline 6 in respect of the Tween Bridge Solar Farm Project, promoted by RWE Renewables UK Solar and Storage Limited.

Examining Authority's submission deadline: 22 September 2026

Our advice is set out in sections 1, 2 and 3 below, which cover the following:

- Responses to the Examining Authority's (ExA's) third written questions (ExQ3)
- Updated advice in relation to NE23d - Protected species (great crested newt), and:
- Comments on the Report for the Implications on European Sites (RIES)

Please note that this response confirms that all issues between Natural England and the Applicant can now be marked as 'resolved'. This therefore constitutes our final full response in the Examination.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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

Yours faithfully,

Laura Tyndall
Yorkshire and Northern Lincolnshire Area Team
Natural England

Natural England's comments for Deadline 6 in respect of the Tween Bridge Solar Farm Project

1. Natural England's responses to ExQ3 (Issued on 11 August 2026)

Q3.1.3 (addressed to all parties) – Changes to layout:

NE response:

We have no comments to make on the layout changes.

Q3.2.8 (addressed to the Applicant and NE) – Great crested newts:

Question:

The applicant should address and provide an update on NEs deadline 5 submissions [REP5-066] in relation to Great Crested Newts (GCN).

Could NE please advise what the implications of this are for the consideration of this application. In particular, NE advises that a precautionary approach should be taken - where GCN should be considered present in ponds. If this were the case, what are the implications? Please bear in mind that the examination is at a very advanced stage. As such, it is not clear whether the applicant would have sufficient time to undertake additional survey effort during the examination.

NE response:

We first note that Natural England's advice at Deadline 5 for key issue NE23d was the same advice as at Deadline 3. At Deadline 5 we acknowledged additional information had been provided by the Applicant following our Deadline 3 comments in an updated outline Ecological Construction Management Plan (oECMP) in relation to their approach to assessment of GCN. We noted we had consulted our relevant internal team on this additional information, but that due to limited specialist capacity we would need to provide further update at Deadline 6 (and we would submit an addendum to Deadline 5 sooner than this if advice was received). We apologise that specialist capacity did not allow an addendum to Deadline 5 to be provided.

Please now refer to our full updated GCN advice in Section 2, Table A below. In Table A, we provide comments on the Applicant's approach, outline the risks around this, and provide advice around the information we recommend is provided prior to construction.

We acknowledge the very advanced stage of the Examination, and that additional survey effort for GCN cannot be undertaken in the remaining Examination period and will instead be undertaken at the post-consent/pre-construction stage. The commitments the Applicant has made regarding GCN, to be secured post-consent, are outlined in Rev 3 of the SoCG and further detailed in the oECMP. These will be secured through Requirement 8 (2b). The Applicant also commits to a precautionary approach for any ponds that remain inaccessible to survey efforts in the pre-construction surveys. Although Natural England considers that, wherever possible, such issues should be resolved prior to the granting of consent, in this case we consider that due to the post-consent commitments to further assess and determine need for a licence for GCN prior to construction, that this issue can be moved to a **'yellow'** issue and marked as resolved.

***Yellow** issues 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 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.

2. Natural England's updated protected species advice (Great crested newt - GCN), key issue NE23d

Table A: Please see updated advice below for Deadline 6 regarding NE23d, following review of the following:

- Chapter 7: Ecology and Nature Conservation, Rev 5, dated August 2026 [REP5-012]
- Outline Landscape Ecological Management Plan, Rev 5, dated July 2026 [REP4-055]
- Natural England Statement of Common Ground (SoCG), Rev 3, dated August 2026 [REP5-055]

NE key issue ref	Topic	Issue summary	NE commentary and advice	Risk: (Red, Amber, Yellow, Green or Grey)
NE23d	Protected species	Protected species – Great crested newt (GCN)	As detailed in our response to EXQ3.2.8, the commitments the Applicant has made regarding GCN, to be secured post-consent, are outlined in Rev 3 of the SoCG and further detailed in the oECMP. These will be secured through Requirement 8 (2b). The Applicant also commits to a precautionary approach for any ponds that remain inaccessible to survey efforts in the pre-construction surveys. Although Natural England considers that, wherever possible, such issues should be resolved prior to the granting of consent, in this case we consider that due to the post-consent commitments to further assess and determine need for a licence for GCN prior to construction, that this issue can be moved to a yellow* issue and marked as resolved. Please refer to our detailed comments below in relation to the risks of the approach and advice around information we recommend is provided prior to construction. <u>Surveys and assessment of impacts at the post-consent stage</u> As detailed in Annex C: Natural England and the Planning Inspectorate, we consider that, where necessary, NSIP Applicant's should seek and secure a relevant Letter of No Impediment following Natural England's review of a draft mitigation licence application, at as early a stage as possible. As this has not been completed in this case, uncertainty remains as to whether potential impacts on GCN will be adequately avoided, mitigated and compensated if impacts are identified following the proposed pre-construction surveys and assessment. We acknowledge that whilst the Applicant carried out two years of surveys in 2023 and 2025, around half of the scheme's ponds remain un-surveyed and inaccessible. Whilst Natural England welcomes the Applicant's	Yellow

NE key issue ref	Topic	Issue summary	NE commentary and advice	Risk: (Red, Amber, Yellow, Green or Grey)
			commitment to undertake further/updated GCN surveys prior to construction, we consider that, as above, carrying out further surveys post-consent/pre-construction leaves uncertainty. This includes understanding of the baseline, the likely magnitude of impacts, the need for protected species licensing, and the mitigation and compensation measures that could be required (including those that may be required as part of a licensed mitigation approach). However, we welcome the Applicant's proposed approach in relation to access for future survey efforts; with confirmation now provided that as part of the updated survey work, reasonable and repeated efforts will be made to obtain survey access to all ponds within 250m of the Order Limits. They confirm they will maintain a written record of access requests, follow-up attempts, responses received, and any refusal of access and any health and safety constraints that prevent a survey from being completed. They confirm records will be retained and provided to Natural England upon request, including where they may be required to support any future protected species license application. The Applicant's proposals in relation to using additional and alternative sources of data to address any survey and data gaps caused by limited survey access and/or suitability are welcomed by Natural England. We recommend that alongside the pre-construction surveys, sufficient information to demonstrate a reasonable worst-case assessment of impacts and a clear outline mitigation strategy capable of maintaining the species' favourable conservation status should be submitted prior to construction and include the following: • Details of the age, extent and validity of survey data and details of the update surveys; • Identification of the reasonable worst-case licensing scenario; • Provision of an outline GCN mitigation strategy, including anticipated licensable exclusion, capture, habitat retention, habitat creation and compensation measures where relevant; • Demonstration that suitable mitigation and compensation land (if required) is available and deliverable; • Assessment of effects at an ecologically relevant population or metapopulation scale where appropriate;	

NE key issue ref	Topic	Issue summary	NE commentary and advice	Risk: (Red, Amber, Yellow, Green or Grey)
			• Explanation of the circumstances under which a protected species licence would be required; and • Provision of sufficient information to demonstrate a reasonable prospect that any required licence could be granted. <u>Differentiating between construction and operational phase impacts</u> We acknowledge the statements around potential benefits of the scheme during operation. Although the proposed enhancements have potential to reduce longer-term impacts on GCN, if most of these interventions occur after any construction phase impacts, then enhancements will not prevent immediate and short-term impacts to GCN using any habitats impacted. Therefore, whether the scheme could ultimately benefit GCN is not a factor when determining whether impacts require licensing. However, the Applicant's proposed retention of ponds and ditches (together with buffering and habitat creation) is still relevant to the assessment and may help reduce the magnitude of effects on GCN during operation. If the scheme demonstrably retains key breeding habitats and provides additional terrestrial habitat of suitable quality, this could reduce the risk of significant adverse effects at the population level and may ultimately represent a net benefit for the species in the long term. However, as above, habitat enhancements in the completed scheme do not remove the potential for impacts during construction. The licensing process and the related requirements focus not only on the condition of habitats once the development is operational, but also on whether activities such as vegetation clearance, earthworks, installation of infrastructure, temporary habitat loss, or disturbance could result in impacts to individual GCN or their habitats. Where such risks of these effects exist, mitigation measures will be required, and in many cases, a protected species licence as well.	

3. Natural England's comments on the RIES (issued on 11th August 2026)

Overarching comments on the RIES:

We note the ExA seeks responses to the questions identified in sections 1-4 of the RIES (see Table B below for answers to questions directed at NE), alongside overall confirmation as to whether the ExA's understanding of screening and adverse effects conclusions at the point of RIES publication (tables A.1.1 to A1.6 in Annex 1), is correct. We confirm that based on review of the Annex 1 tables, we agree that this accurately reflects the conclusions of the HRA stages 1 and 2. We only consider there to be one minor amendment required in Table 2.2, A1.5, and A1.6. For the Humber Estuary SPA and Humber Estuary Ramsar, the impact pathway 'loss of functionally linked land (FLL)' is also an operational impact (alongside at construction and decommissioning).

As highlighted throughout the RIES by the ExA, we consider the Applicant must update the relevant documents (i.e. HRA and oLEMP) where necessary, and these must be re-submitted. However, subject to these updates we have no further comments to make, and we consider all HRA issues NE0 – NE19 are now resolved.

Table B - Answers to questions within the RIES:

RIESQ ref	Question addressed to	Question	Answer
RIESQ1	CDC and NE	Please confirm your position on the "carve-out" provided within the dDCO in relation to the oLEMP and if there are any remaining concerns in relation to the scope of the permitted preliminary works and potential impacts to European Sites? If there are remaining concerns, provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve those concerns.	We note the addition of the following to Requirement 8 in the draft DCO (Rev 7) [REP4-004]: <i>"(5) For the purposes of sub-paragraph (1), "commence" includes any permitted preliminary works involving pre-construction ecological mitigation and site clearance."</i> We welcome that any permitted preliminary works will need to be in accordance with the LEMP. We highlight that (in accordance with our Deadline 5 advice [REP5-066] in NE1a), that as per 6.22 and 6.23 of the oLEMP, the ecological mitigation areas for impacts to functionally linked land (FLL) for the Humber Estuary SPA/Ramsar, must be available and functioning prior to construction commencing. Therefore, we consider that the addition of 8(5) ensures this applies equally to any permitted preliminary works.

RIESQ ref	Question addressed to	Question	Answer
RIESQ2	NE	Noting the applicant's response at DL5, please provide your latest position on this matter and set out whether there are any implications for the conclusions on AEol? If there are remaining concerns, provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve those concerns.	Based on the Applicant's updates provided at Deadline 5, which commit to completing a desk study and walkover survey pre-construction, we have no further comments to make on this matter.
RIESQ3	NE	For entries NE14 to NE18 [REP5 066], the ExA notes that [RR 023], clarified by [REP2-105], refers to the 6 sites taken forwards to the assessment of AEol. However, the agreement provided in [REP4-080] and [REP5-066] only refer to some of those sites. Can NE confirm whether its agreement of no AEol relates to all 6 sites for entries NE14 to NE18?	In RR-023, issues NE14 – NE18 covered all six sites as follows: • Humber Estuary SPA • Humber Estuary SAC • Humber Estuary Ramsar • Thorne Moors SAC • Hatfield Moors SAC • Thorne and Hatfield Moors SPA In subsequent reviews some of these sites were updated due to some of the impacts across NE14-NE18 potentially being more localised to sites closer to the Order Limit's. However, we consider that including all sites at the AEol stage is suitably precautionary, and as impacts will be adequately ruled out with the measures agreed it is not an issue to include all six sites.